

JOURNAL  
OF THE  
CONVENTION OF THE PEOPLE  
OF  
SOUTH CAROLINA,  
HELD IN 1860-'61.

TOGETHER WITH THE REPORTS. RESOLUTIONS, &c.

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PUBLISHED BY ORDER OF THE CONVENTION.

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CHARLESTON:  
EVANS & COGSWELL, PRINTERS TO THE CONVENTION.  
No. 3 Broad and 103 East Bay Streets.

1861



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## JOURNAL OF THE CONVENTION.

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MONDAY, DECEMBER 17, 1860.

Pursuant to an Act of the General Assembly of the State of South Carolina, entitled "an Act to provide for the calling of a Convention of the people of this State," ratified the 9th day of November, 1860, the Delegates from the several Election Districts of this State, assembled in the Baptist Church, in the town of Columbia, on this day, at twelve o'clock, M.

On motion of Mr. James H. Adams, of Richland, Mr. D. F. Jamison, a Delegate from Barnwell, was called to the chair.

On motion of Mr. J. Izard Middleton, of all Saints, it was

*Resolved*, That the President appoint a member of the Convention temporary Secretary.

The President, in accordance with this Resolution, requested Mr. T. Y. Simons, of St. Philip and St. Michael, to act as temporary Secretary; and then addressed the Convention as follows:

*Gentlemen*: We have met here under circumstances more solemn than any of us have ever been placed in before. No one, it seems to me, is duly impressed with the magnitude of the work before him, who does not, at the same time, feel that he is about to enter upon the gravest and

most solemn act which has fallen to the lot of this generation to accomplish. It is no less than our fixed determination to throw off a Government to which we have been accustomed, and to provide new safeguards for our future security. If anything has been decided by the elections which sent us here, it is, that South Carolina must dissolve her connection with the Confederacy as speedily as possible.

In the progress of this movement we have two great dangers to fear—overtures from without, and precipitation within. I trust that the door is now forever closed to all further connection with our Northern confederates; for what guarantees can they offer us, more strictly guarded, or under higher sanctions, than the present written compact between us? And did that sacred instrument protect us from the jealousy and aggressions of the North, commenced forty years ago, which resulted in the Missouri Compromise?

Did the Constitution protect us from the cupidity of the Northern people, who, for thirty-five years, have imposed the burden of supporting the General Government chiefly on the industry of the South? Did it save us from Abolition petitions, designed to annoy and insult us, in the very halls of our Federal Congress? Did it enable us to obtain a single foot of the soil acquired in the war with Mexico, where the South furnished three-fourths of the money, two-thirds of the men, and four-fifths of the graves? Did it oppose any obstacle to the erection of California into a free-soil State, without any previous territorial existence, without any defined boundaries, or any census of her population? Did it throw any protection around the Southern settlers of Kansas, when the soil of that territory was invaded by the emissaries of Emigrant Aid Societies, in a crusade preached from Northern pulpits, when churchmen and women contributed Sharp's rifles and Colt's revolvers, to swell the butchery of Southern men? And has not that Constitution been trodden under foot by almost every Northern State, in their Ordinances nullifying all laws

made for the recovery of fugitive slaves, by which untold millions of property have been lost to the South ?

Let us be no longer duped by paper securities. Written Constitutions are worthless, unless they are written, at the same time, in the hearts, and founded on the interests of a people ; and as there is no common bond of sympathy or interest between the North and the South, all efforts to preserve this Union will not only be fruitless, but fatal to the less numerous section. The other danger to which I referred, may arise from too great impatience on the part of our people to precipitate the issue, in not waiting until they can strike with the authority of law.

At the moment of inaugurating a great movement like the present, I trust that we will go forward, and not be diverted from our purpose by influences from without. In the outset of this movement I can offer you no better motto than Danton's, at the commencement of the French Revolution : "To dare ! and again to dare ! and without end to dare ?"

Mr. J. H. Adams, of Richland, offered the following resolutions :

*Resolved*, That the proceedings of this meeting be opened with prayer, and that the Rev. Mr. Breaker be invited to officiate this morning.

*Resolved*, That each successive day of our Convention be opened with prayer, and that the President of the Convention be requested to invite some clergyman to perform that duty.

The question being taken, the resolution was agreed to, and the proceedings were opened with prayer accordingly.

The President laid before the Convention the following communication :

HOUSE OF REPRESENTATIVES, Dec. 17, 1860.

*To the Honorable the President of the Convention  
of the People of South Carolina :*

SIR : In accordance with a resolution adopted by the House this day, I have the honor of extending to you and

the members of the Convention, an invitation to attend the inauguration of the Governor elect, to take place this day in the Hall of the House of Representatives.

With profound respect,

I have the honor to be,

Respectfully yours,

JAMES FARROW,

*Chairman Committee of Arrangements.*

On motion of Mr. James L. Orr, of Anderson, it was

*Resolved*, That the communication be laid on the table until the organization of the Convention is completed.

The credentials of the following individuals were then exhibited, and their names enrolled as members of the Convention:

*Abbeville*—Thos. Chiles Perrin, Edw. Noble, J. H. Wilson, Thos. Thomson, David Louis Wardlaw, Jno. Alfred Calhoun.

*All Saints*—John Izard Middleton, Benjamin E. Sessions.

*Anderson*—J. N. Whitner, James L. Orr, J. P. Reed, R. F. Simpson, Benjamin Franklin Mauldin.

*Barnwell*—Lewis Malone Ayer, Jr., W. Peronneau Finley, J. J. Brabham, Benj. W. Lawton, D. F. Jamison.

*Chester*—John McKee, Thomas W. Moore, Richard Woods, A. Q. Dunovant.

*Chesterfield*—John A. Inglis, Henry McIver, Stephen Jackson.

*Christ Church*—W. Pinckney Shingler, Peter P. Bonneau.

*Clarendon*—John P. Richardson, John J. Ingram.

*Darlington*—Edgar W. Charles, Julius A. Dargan, Isaac D. Wilson, John M. Timmons.

*Edgefield*—Francis Hugh Wardlaw, R. G. M. Dunovant, James Parsons Carroll, Wm. Gregg, Andrew J. Hammond, James Tompkins, James C. Smyly.

*Fairfield*—John Hugh Means, William Strother Lyles, Henry Campbell Davis, Jno. Buchanan.

*Greenville*—James C. Furman, P. E. Duncan, W. K. Easley, James Harrison, W. H. Campbell.

*Horry*—Thos. W. Beaty, Wm. J. Ellis.

*Kershaw*—T. J. Withers, James Chesnut, Jr.

*Lancaster*—R. L. Crawford, W. C. Cauthen, D. P. Robinson.

*Laurens*—H. C. Young, H. W. Garlington, John D. Williams, W. D. Watts, Thos. Wier.

*Lexington*—H. I. Caughman, John C. Geiger, Paul Quattlebaum.

*Marion*—W. B. Rowell, Chesley D. Evans, Wm. W. Harlee, A. W. Betha.

*Marlboro'*—E. W. Goodwin, William D. Johnson, Alex. McLeod.

*Newberry*—John P. Kinard, Robert Moorman, Joseph Caldwell, Simeon Fair.

*Orange*—Thomas Worth Glover, Lawrence M. Keitt, Donald Rowe Barton.

*Pickens*—Wm. Hunter, Andrew F. Lewis, Robt. A. Thompson, William S. Grisham, John Maxwell.

*Prince Williams*—Jno. E. Frampton, W. Ferguson Hutson.

*Richland*—W. F. DeSaussure, William Hopkins, James H. Adams, Maxey Gregg, John H. Kinsler.

*St. Andrew's*—Emphraim M. Clark, Alex. H. Brown.

*St. Bartholomew's*—E. St. P. Bellinger, Merrick E. Carn, E. R. Henderson, Peter Stokes.

*St. George's, Dorchester*—Daniel Flud, David C. Appleby.

*St. Helena*—R. W. Barwell, Jos. Dan'l Pope.

*St. James', Goose Creek*—John M. Shingler, C. P. Brown.

*St. James', Santee*—Daniel Du Pre, A. Mazyek.

*St. John's, Berkley*—William Cain, P. G. Snowden.

*St. John's, Colleton*—Geo. W. Seabrook, John Jenkins.

*St. Luke's*—R. J. Davant, E. M. Seabrook.

*St. Mathew's*—John J. Wannamaker.

*St. Paul's*—Elias B. Scott, Joseph E. Jenkins.



*St. Peter's*—Langdon Cheves, George Rhodes.

*St Philip's and St. Michael's*—A. G. Magrath, Wm. Porcher Miles, John Townsend, Robert N. Gourdin, H. W. Conner, Theodore D. Wagner, R. Barnwell Rhett, C. G. Memminger, Gabriel Manigault, John Julius Pringle Smith, Isaac W. Hayne, Jno. H. Honour, Rich'd De Treville, Thos. M. Hanckel, A. W. Burnet, Thos. Y. Simons, L. W. Spratt, Williams Middleton, F. D. Richardson, B. H. Rutledge, Edward McCrady, Francis J. Porcher.

*St. Stephen's*—T. L. Gourdin, John S. Palmer.

*St. Thomas' and St. Dennis'*—John L. Nowell, John S. O'Hear.

*Spartanburg*—John G. Landrum, B. B. Foster, Benjamin F. Kilgore, J. H. Carlisle, Simpson Bobo, Wm. Curtis.

*Sumter*—H. D. Green, Matthew P. Mayes, Thomas Reese English, Sr., Albértus Chambers Spain.

*Union*—J. M. Gadberry, J. S. Sims, Wm. H. Gist, James Jefferies.

*Williamsburg*—Anthony W. Dozier, John G. Pressley, R. C. Logan.

*Winyaw*—Francis S. Parker, Benjamin Faneuil Dunkin, Samuel Taylor Atkinson, Alex. M. Forster.

*York*—William Blackburn Wilson, Robert T. Allison, Samuel Rainey, A. Baxter Springs, A. I. Barron.

On motion of Mr. Quattlebaum, of Lexington, the Convention proceeded to ballot for permanent President, with the following result:

### First Ballot.

Whole number of votes cast .....	151
Necessary to a choice.....	76

Mr. W. H. Gist .....	received	27	votes,
J. L. Orr .....	"	22	"
J. Chesnut, Jr. ....	"	22	"
R. W. Barnwell .....	"	17	"
D. F. Jamison .....	"	15	"

D. L. Wardlaw .....	received	15	votes,
J. P. Carroll .....	"	6	"
J. C. Furman.....	"	6	"
R. B. Rhett.....	"	5	"
B. F. Dunkin .....	"	4	"
J. H. Adams .....	"	3	"
J. A. Inglis.....	"	3	"
J. P. Richardson .....	"	2	"
D. J. Jamison.....	"	1	"
W. F. De Saussure .....	"	1	"
J. H. Means .....	"	1	"
Blank .....		1	"

## Second Ballot.

Whole number of votes cast.....	152
Necessary to a choice.....	77

Mr. W. H. Gist .....	received	38	votes,
J. L. Orr.....	"	31	"
D. F. Jamison .....	"	27	"
J. Chesnut, Jr. ....	"	27	"
D. L. Wardlaw .....	"	13	"
R. W. Barnwell.....	"	12	"
J. P. Carroll .....	"	1	"
B. F. Dunkin .....	"	1	"
D. J. Jamison.....	"	1	"
J. P. Richardson.....	"	1	"

## Third Ballot.

Whole number of votes cast.....	150
Necessary to a choice.....	76

Mr. D. F. Jamison .....	received	64	votes,
J. L. Orr.....	"	32	"
W. H. Gist .....	"	28	"
J. Chesnut, Jr. ....	"	17	"
R. W. Barnwell.....	"	6	"
D. L. Wardlaw .....	"	2	"
D. J. Jamison .....	"	1	"

## Fourth Ballot.

Whole number of votes cast.....	151
Necessary to a choice.....	76

Mr. D. F. Jamison .....	received	118	votes,
J. L. Orr .....	“	30	“
J. Chesnut, Jr.....	“	3	“

Mr. J. Izard Middleton, of All Saints, was called temporarily to the Chair, and announced that Mr. D. F. Jamison, having received a majority of the votes cast, was duly elected permanent President of the Convention.

On motion of Mr. A. W. Burnet, of St. Philip's and St. Michael's, it was

*Resolved*, That a Committee of three be appointed to conduct the President elect to the Chair.

The following gentlemen were appointed: Messrs. A. W. Burnet, Thomas Thomson and W. Porcher Miles.

The President elect, on taking the Chair, addressed the Convention as follows:

*Gentlemen of the Convention:—*

When I say that I have no words to express the gratification which your confidence has afforded me, I only say precisely what I mean. There is no honor I esteem more highly than to sign the Ordinance of Secession, as a member of this body; but I will regard it as the greatest honor of my life to sign it as your presiding officer. We have entered on a great work, and God, who holds in His hands the destinies of nations, only knows what may be the result. That it may lead to the honor and glory of South Carolina is my most fervent prayer. May God aid our State! I am too little accustomed to the duties of presiding over a body like this, not to feel my want of qualification for the position you have assigned me; and I have been so long withdrawn from deliberative



bodies, that I must ask your indulgence for the errors I may commit. I stated in commencing that I was so overcome by your confidence that I had nothing to say. All I can do would be to express but imperfectly the emotions that agitate my bosom.

On motion of Mr. Quattlebaum, of Lexington, it was

*Resolved*, That the rules adopted by the Convention of South Carolina in April, 1852, be adopted by this Convention for the government of the same.

On motion of Mr. W. S. Lyles, of Fairfield, it was

*Resolved*, That the President of the Convention be authorized to appoint a Clerk, a Messenger, and a Door Keeper for the Convention.

On motion of Mr. J. H. Adams, of Richland, it was

*Resolved*, That the Hon. John A. Elmore, Commissioner to this Convention from the State of Alabama, and the Hon. Charles E. Hooker, Commissioner from the State of Mississippi, be invited to take seats on the floor of the Convention.

*Resolved*, That a Committee of three be appointed by the Chair to wait on the Hon. Messrs. Elmore and Hooker, and invite them to address the Convention, in the Hall, this evening, at seven o'clock.

The Chair appointed Messrs. J. H. Adams, I. W. Hayne, and A. W. Burnet, said Committee.

On motion of Mr. Keitt, of Orange, it was

*Resolved*, That a Committee of three be appointed to wait on the Hon. Howell Cobb, of Georgia, and invite him to a seat on the floor of the Convention.

The Chair appointed Messrs. L. M. Keitt, J. L. Orr, and W. P. Miles, said Committee.

Mr. Inglis, of Chesterfield, offered the following resolutions :

*Resolved*, That when this Convention adjourns, it stand adjourned to meet in the City of Charleston, on Tuesday, the 18th inst., at four o'clock.

*Resolved*, That the Delegates from St. Philip's and St. Michael's be requested to procure a suitable building for the said meeting, and be requested to report to the President of this Convention as to the same.

Mr. Mazyck, of St. James', Santee, moved to lay the resolutions on the table. Ayes, 68 ; Nays, 87.

Mr. W. F. DeSaussure, of Richland, moved to amend the resolutions by striking out "Tuesday, the 18th," and inserting "Wednesday, the 19th."

On motion of Mr. J. J. P. Smith, of St. Philip's and St. Michael's, the amendment was laid on the table.

The original resolutions were then agreed to.

On motion of Mr. J. J. Wannamaker, of St. Mathew's, it was ordered that

*Whereas*, At the election held in St. Mathew's Parish, for Delegates to the Convention, to convene on this day, but one candidate received a majority of votes cast. The next two receiving the same numbers, there was, consequently, but one elected. The Parish being entitled to two, is but in part represented ; therefore,

*Resolved*, That the President of the Convention do issue a writ of election, to be held on Monday, the 24th instant, in all respects as the former, to fill said vacancy.

On motion of Mr. Maxey Gregg, of Richland, the Convention took a recess until seven o'clock, P. M.

THOMAS Y. SIMONS,  
*Temporary Secretary.*

## RECESS.

The President resumed the Chair.

The President announced the following gentlemen as officers of the Convention, viz: B. F. Arthur, *Clerk*; C. O. La Motte, *Messenger*; and Samuel J. Nettles, *Doorkeeper*.

Mr. Adams, from the Committee appointed to wait upon the Commissioners from the State of Alabama, and from the State of Mississippi, introduced to the Convention, Hon. John A. Elmore, Commissioner from the State of Alabama, and Hon. Charles E. Hooker, Commissioner from the State of Mississippi, who, respectively, addressed the Convention.

Mr. J. B. Kershaw, Delegate from Kershaw, appeared at the Clerk's desk, produced his credentials, signed the roll and took his seat.

Mr. Inglis offered the following resolutions:

*Resolved*, That it is the opinion of this Convention that the State of South Carolina should forthwith secede from the Federal Union, known as the United States of America.

*Resolved*, That a Committee of —— members be appointed to draft an Ordinance, proper, to be adopted by this Convention, in order to accomplish this purpose of secession; and that individual members desiring to submit for the consideration of the Convention, any draft or scheme of such Ordinance, be requested to hand the same, without delay, to the said Committee.

*Resolved*, That the Act of the General Assembly of this State, providing for the assembling of this Convention, be referred to the same Committee, with instructions to consider and report thereon.

The question being put, will the Convention agree to the first resolution? it passed in the affirmative:

Yeas, 159; nays, none.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative, are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Ellis,
Allison,	English,
Appleby,	Evans,
Atkinson,	Fair,
Barnwell,	Finley,
Barron,	Flud,
Barton,	Forster,
Beaty,	Foster,
Bethea,	Frampton,
Bellinger,	Furman,
Bobo,	Gadberry,
Bonneau,	Garlington,
Brabham,	Geiger,
Brown, A. H.	Gist,
Brown, C. P.	Glover,
Buchanan,	Goodwin,
Burnet,	Gourdin, R. N.
Cain,	Gourdin, T. L.
Calhoun,	Gregg, Maxey
Caldwell,	Gregg, William
Campbell,	Grisham,
Carlisle,	Hammond,
Carroll,	Harlee,
Caughman,	Harrison,
Cauthen,	Hayne,
Charles,	Henderson,
Chesnut,	Honour,
Cheves,	Hopkins,
Clarke,	Hunter,
Conner,	Hutson,
Crawford,	Inglis,
Curtis,	Ingram,
Dargan,	Jackson,
Davant,	Jefferies,
Davis,	Jenkins, John
De Saussure,	Jenkins, J. E.
De Treville,	Johnson,
Dozier,	Keitt,
Duncan,	Kershaw,
Dunkin,	Kilgore,
Dunovant, A. Q.	Kinard,
Dunovant, R. G. M.	Kinsler,
Du Pre,	Landrum,
Easley,	Lawton,

Lewis,	Richardson, J. P.
Logan,	Rowell,
Lyles,	Scott,
McCrary,	Seabrook, E. M.
McIver,	Seabrook, G. W., Sr.
McKee,	Sessions,
McLeod,	Shingler, J. M.
Magrath,	Shingler, W. P.
Manigault,	Simons,
Mauldin,	Simpson,
Maxwell,	Smyly
Mayes,	Smith,
Mazyek,	Snowden,
Means,	Spain,
Middleton, John Izard	Spratt,
Middleton, W.	Springs,
Miles,	Stokes,
Moore,	Sims,
Moorman,	Thompson, R. A.
Noble,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Orr,	Townsend,
Palmer,	Wagner,
Parker,	Wannanaker,
Perrin,	Wardlaw, D. L.
Pope,	Wardlaw, F. H.
Porcher,	Wier,
Pressley,	Whitner,
Quattlebaum,	Williams,
Rainey,	Wilson, I. D.
Reed,	Wilson, J. H.
Rhett,	Wilson, W. B.
Rhodes,	Withers,
Richardson, F. D.	Woods.

The Convention proceeded to the consideration of the second resolution.

Mr. Rhett moved to amend the second resolution by adding the words, "all the matters appertaining to the business of the Convention."

On motion of Mr. Hutson, the amendment was ordered to lie on the table.

On motion of Mr. D. L. Wardlaw, the blank was filled with the number seven; and the resolution was agreed to.



Mr. Inglis withdrew the third resolution.

On motion of Mr. Orr, the Hon. Henry Dickinson, Commissioner from the State of Mississippi to the State of Delaware, was invited to a seat on the floor of the Convention.

On motion of Mr. Manigault, it was

*Resolved*, That it is the earnest desire of this Convention that the Commissioners from the States of Alabama and Mississippi accompany the Convention to Charleston.

On motion of Mr. Pope, it was

*Resolved*, That the thanks of this Convention be returned to the Baptist Congregation, of Columbia, for the use of their building.

On motion of Mr. Keitt, it was

*Resolved*, That a message be sent to the Committee of Arrangements of the Legislature, returning the thanks of the Convention for their invitation to attend the inauguration of the Governor, and explaining why this Convention could not attend.

The President presented the credentials of Hon. John A. Elmore, Commissioner from the State of Alabama, and the credentials of Hon. Charles E. Hooker, Commissioner from the State of Mississippi, which were ordered to be filed, and entered on the Journal.

On motion, the Convention was adjourned at ten o'clock,  
P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## STATE OF MISSISSIPPI.

JOHN J. PETTUS, *Governor of the State of Mississippi,*  
*To His Excellency, the Governor of the State of South Carolina,*  
*Greeting :*

BE IT KNOWN, That, reposing special trust and confidence in the ability, integrity and fitness of Hon. C. E. Hooker, I have, in compliance with a Resolution passed by the Legislature of this State, on the 30th day of November, A. D. 1860, appointed, and by these presents do appoint him a Commissioner from Mississippi, to proceed to the Capital of South Carolina, to inform the people of that Commonwealth, through their Executive, that the Legislature of this State has passed an Act calling a Convention of the people of the State, to consider the present threatening relations of the Northern and Southern sections of the United States—aggravated by the recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that South Carolina will co-operate with her in the adoption of efficient measures for the common defence and safety of the South.

Given under my hand, and the Great Seal of the State hereunto affixed, at the City of Jackson, this 5th day of December, A. D. 1860.

By the Governor,

[L. S.]

JOHN J. PETTUS.

C. A. BROUGHNER, *Secretary of State.*





## STATE OF ALABAMA.

## EXECUTIVE DEPARTMENT.

Montgomery, Ala., Dec. 8, 1860.

Whereas, the election of Abraham Lincoln, a Black Republican, to the Presidency of the United States, by a purely sectional vote, and by a party whose leading and publicly avowed object is the destruction of the institution of Slavery, as it exists in the slaveholding States: And whereas, the success of said party, and the power which it now has, and soon will acquire, greatly endanger the peace, interests, security and honor of the slaveholding States, and make it necessary that prompt and efficient measures should be adopted to avoid the evils which must result from a Republican administration of the Federal Government; and, as the interests and destiny of the slaveholding States are the same, they must naturally sympathize with each other; they, therefore, so far as it may be practicable, should consult and advise together as to what is best to be done to protect their mutual interests and honor:

Now, therefore, in consideration of the premises, I, Andrew B. Moore, Governor of the State of Alabama, by virtue of the general powers in me vested, do hereby constitute and appoint Col. John A. Elmore, a citizen of said State, a Commissioner to the sovereign State of South Carolina, to consult and advise with his Excellency Governor W. H. Gist, and the members of the Convention to be assembled in said State on the 17th day of December, instant, as to what is best to be done to protect the rights, interests and honor of the slaveholding States, and to report the result of such consultation in time to enable me to communicate the same to the Convention of the State of Alabama, to be held on Monday, the 7th day of January, next.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed, in the City of Montgomery, this 8th day of December, A. D. 1860.

[L. s.]

A. B. MOORE.



## TUESDAY, DECEMBER 18, 1860.

Pursuant to adjournment, the Convention assembled at Institute Hall, in the City of Charleston, at four o'clock, P. M. The President took the chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,	Dunovant, A. Q.
Allison,	Du Pre,
Appleby,	Easley,
Atkinson,	Ellis,
Barron,	English,
Barton,	Evans,
Beaty,	Fair,
Bethea,	Finley,
Bellinger,	Flud,
Bobo,	Forster,
Bonneau,	Foster,
Brabham,	Frampton,
Brown, C. P.	Furman,
Brown, A. H.	Garlington,
Cain,	Geiger,
Calhoun,	Glover,
Caldwell,	Gourdin, R. N.
Campbell,	Gourdin, T. L.
Carn,	Green,
Carlisle,	Gregg, William
Carroll,	Grisham,
Cauthen,	Hammond,
Cheves,	Harlee,
Clarke,	Harrison,
Conner,	Hayne,
Crawford,	Honour,
Curtis,	Hunter,
Dargan,	Hutson,
Davant,	Inglis,
Davis,	Jackson,
De Treville,	Jefferies,
Dozier,	Jenkins, John
Duncan,	Johnson,
Dunkin,	Kershaw,

Kilgore,	Rhodes,
Kinard,	Richardson, F. D.
Kinsler,	Robinson,
Landrum,	Rowell,
Lawton,	Scott,
Lewis,	Seabrook, E. M.
Logan,	Sessions,
Lyles,	Shingler, W. P.
McCrady,	Simons,
McIver,	Simpson,
McKee,	Smyly,
Magrath,	Smith,
Mauldin,	Snowden,
Maxwell,	Spain,
Mayes,	Spratt,
Mazyek,	Springs,
Means,	Stokes,
Memminger,	Sims,
Middleton, John Izard	Thompson, R. A.
Middleton, W.	Thomson, Thomas
Moore,	Timmons,
Moorman,	Wagner,
Nowell,	Wannamaker,
O'Hear,	Wardlaw, D. L.
Orr,	Wardlaw, F. H.
Palmer,	Watts,
Parker,	Wier,
Perrin,	Whitner,
Porcher,	Williams,
Pressley,	Wilson, J. H.
Quattlebaum,	Wilson, W. B.
Rainey,	Withers,
Reed,	Woods,
Rhett,	Young.

Mr. John L. Manning, a Delegate from Clarendon, appeared at the Clerk's desk, produced his credentials, enrolled his name, and took his seat.

Messrs. Carn, Memminger, Young and Watts asked to give the vote they would have given, if present, on a resolution adopted yesterday, declaring it to be the sense of this Convention, that the State of South Carolina should forthwith secede from the Federal Union; and those gentlemen being called, respectively, answered, "aye."

On motion of Mr. Rhett, it was

*Resolved*, That a Committee consisting of        members be appointed to prepare an address to the people of the Southern States.

On motion, the blank was filled with the number seven.

Whereupon, the President appointed the following gentlemen, of the Committee :

Messrs. R. B. Rhett,  
John A. Calhoun,  
W. P. Finley,  
I. D. Wilson,  
W. F. De Saussure,  
Langdon Cheves,  
M. E. Carn.

On motion of Mr. Orr, it was

*Resolved*, That the Charleston Delegation be requested to inquire into and report upon the expediency of procuring another Hall for the use of this Convention, and that they publish their decision to-morrow in the newspapers of the city.

Mr. Hutson offered the following resolutions :

*Resolved*, That the President do appoint four standing Committees for this Convention, each consisting of seven, as follows :

1. A Committee on Relations with the Slaveholding States of North America.
2. A Committee on Foreign Relations.
3. A Committee on Commercial Relations.
4. A Committee on the Constitution of the State.

On motion of Mr. F. D. Richardson, the Resolutions were made the special order of the day for to-morrow, at one o'clock, P. M., and were ordered to be printed.

On motion of Mr. Quattlebaum, it was

*Resolved*, That a Committee of three be appointed to receive proposals for printing the proceedings of this Convention, and that they report thereon as soon as practicable.

Whereupon, the President appointed the following gentlemen, of the Committee:

Messrs. Paul Quattlebaum,  
T. Y. Simons, Jr.,  
J. H. Kinsler.

Mr. Magrath offered the following resolution :

*Resolved*, That so much of the Message of the President of the United States as relates to what he designates "the property of the United States in South Carolina," be referred to a committee of            to report, of what such property consists, how acquired, and whether the purpose for which it was so acquired can be enjoyed by the United States after the State of South Carolina shall have seceded, consistently with the dignity and safety of the State ; and that the said committee further report the value of the property of the United States not in South Carolina ; and the value of the share thereof to which South Carolina would be entitled upon an equitable division thereof among the United States.

On motion of Mr. Orr, the resolution was made the special order of the day for to-morrow, at one o'clock, P. M., and were ordered to be printed.

Mr. De Treville offered the following resolution :

*Resolved*, That it is expedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, should be forthwith appointed; and that



it be referred to a committee of this Convention to report thereon, by ordinance or otherwise.

On motion of Mr. Orr, the resolution was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

Mr. J. I. Middleton offered the following resolution :

*Resolved*, That the President be authorized to appoint an Assistant Clerk.

Mr. Means moved to amend the resolution by adding the words: "whenever it shall become necessary."

The amendment was accepted by the mover of the resolution,

When, on motion of Mr. Reed, the resolution, as amended, was ordered to lie on the table.

The President stated that since the adjournment of the Convention at Columbia, he had received a communication from the State of Georgia, with a request to present it to the Convention.

On motion of Mr. Withers it was ordered that the communication be laid on the table.

The President announced the following gentlemen as the Committee appointed under a resolution offered by the member from Chesterfield, (Mr. Inglis,) to draft an Ordinance proper to be adopted by the Convention, viz:

Messrs. John A. Inglis,  
R. B. Rhett,  
James Chesnut, Jr.,  
James L. Orr,  
Maxcy Gregg,  
B. F. Dunkin,  
W. F. Hutson,

On motion of Mr. Simons, it was

*Resolved*, That when this Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Simons, the Convention was adjourned at four minutes past five o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, DECEMBER 19, 1860.

Pursuant to the action of the Committee, appointed to make arrangements for providing another Hall for the use of the Convention, the Convention assembled at St. Andrew's Hall; the President took the Chair, and the proceedings were opened with prayer by Rev. William Curtis.

The Clerk called the roll, and the following Delegates answered to their names :

Messrs. Adams,	Charles,
Allison,	Cheves,
Appleby,	Clarke,
Atkinson,	Conner,
Ayer,	Crawford,
Barron,	Curtis,
Barton,	Dargan,
Beaty,	Davis,
Bethea,	De Saussure,
Bellinger,	De Treville,
Bobo,	Dozier,
Bonneau,	Duncan,
Brown, A. H.	Dunkin,
Brown, C. P.	Du Pre,
Burnet,	Easley,
Buchanan,	English,
Cain,	Evans,
Calhoun,	Finley,
Campbell,	Forster,
Carr,	Foster,
Carlisle,	Frampton,
Caughman,	Furman,
Cauthen,	Flud,



Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Green,  
Gregg, Maxcy  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Kilgore,  
Landrum,  
Lyles,  
Logan,  
Lawton,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Mayes,  
Means,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Noble,  
Nowell,

O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Reed,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rutledge,  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, W. P.  
Shingler, J. M.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Spratt,  
Snowden,  
Spain,  
Stokes,  
Sims,  
Scott,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Wagner,  
Wardlaw, F. H.  
Wannamaker,  
Watts,  
Wier,  
Whitner,  
Williams,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication :

POST OFFICE, Charleston,  
December 19, 1860.

T. Y. SIMONS, Esq.—

*Dear Sir:* I send herewith a package containing letters for Delegates to the Convention, and I ask the favor of you to announce that it will give me great pleasure to have all matter for members of that body placed in your hands at the opening of the Convention on each succeeding day.

Also, that a clerk from this office will be in attendance at your desk at half-past twelve every afternoon, to receive such letters as gentlemen of the Convention, or their guests, may wish to have mailed for other places.

Very respectfully, your fellow citizen,

ALFRED HUGER, P. M.

The President laid before the Convention the following communication :

CHARLESTON, Dec., 19, 1860.

*To the Hon. D. F. JAMISON, President of the  
Convention of the State of South Carolina :*

SIR : On the night of the 17th instant, after the adjournment of the Convention at Columbia, I received from his Excellency, the Governor of the State of Alabama, a despatch, by telegraph, of that date, and which I herewith enclose, and have the honor to request may be read and submitted to the Convention as directed by his Excellency, Gov. Moore.

Permit me to assure the Convention that in making this communication, his Excellency, Gov. Moore, offers it in no spirit of dictation, but as the friendly counsel and united voice of the true men of Alabama, for the consideration of this Convention, and in the same spirit of consultation and conference which impelled him to send a Commissioner to this and the other Southern States.

With sentiments of the highest respect for the Convention and for yourself,

I am, your obedient servant,

J. A. ELMORE.

The despatch referred to is as follows :

MONTGOMERY, Dec. 17, 1860.

To JOHN A. ELMORE :

Tell the Convention to listen to no propositions of compromise or delay.

A. B. MOORE.

On motion of Mr. D. L. Wardlaw, the communication was referred to the Committee on the Southern Address.

Mr. Reed offered the following resolutions :

1. *Ordered*, That the President appoint a Cashier and Deputy Cashier.

2. *Ordered*, That the Clerk act as Reading Clerk, and also superintend such printing as the Convention may order.

3. *Ordered*, That the reporters for the public journals be allowed access to the Hall for the purpose of reporting.

4. *Ordered*, That the regular hour of meeting shall be ten o'clock, A. M., subject to special orders fixing some other time.

5. *Ordered*, That there be printed, for the use of the Convention, an alphabetical list of the names of the members, and also a list of the names arranged according to State Election Divisions, with their Post Offices.

6. *Ordered*, That the journal of each day's proceedings be printed, and laid on the tables of members, before the hour of meeting.

*Resolved*, That the rules adopted for the government of the Convention, be published with the journal of this day's proceedings.

Mr. Quattlebaum moved to divide the question, so as to take the vote on each separately.

Mr. Inglis moved to amend the third order by adding the words "newspapers in this State."

Mr. F. H. Wardlaw moved to amend the third order by adding the words "one reporter for each newspaper."

Mr. Cheves moved to amend by requesting the President to make such arrangements on the subject as to him might seem proper.

The consideration of the resolutions was suspended, and

Mr. Manning moved that a bar be erected at the head of the stairs, and a sergeant-at-arms appointed, so that members might have convenient access to the Hall.

After some debate, it was ordered that the duty of making arrangements for convenient access to the Hall be entrusted to the Charleston Delegation.

On motion of Mr. Dargan, the Convention resumed the consideration of the resolutions offered by Mr. Reed.

Mr. Dargan moved to strike out the third resolution, and insert the following :

*Ordered*, That the President be authorized to issue tickets of admission to such reporters of newspapers as he may deem proper.

The amendment was adopted.

Mr. Reed withdrew the fourth order.

On motion of Mr. Dargan, the sixth order was laid on the table.

The resolutions, as amended, were adopted.

On motion of Mr. D. L. Wardlaw, the communication from a portion of the members of the Legislature of the State of Georgia was taken up from the table, and was referred to the Committee on the Southern Address.

Mr. Cauthen stated that his colleague, Mr. D. P. Robinson, was absent from indisposition, when the vote was taken on the resolution declaring it to be the sense of the Convention that the State of South Carolina should forthwith

secede from the Federal Union, and asked that he might now be permitted to record the vote he would have given if present.

Whereupon, Mr. Robinson being called, answered "aye."

Messrs. B. H. Rutledge, John L. Manning, L. M. Ayer, T. M. Hanckel, and H. D. Green, asked to record the vote they would have given, if present, on the same resolution; and these gentlemen being called, respectively, answered "aye."

Mr. Quattlebaum, from the Committee on Printing, made the following report, which was considered immediately and was agreed to:

The Committee, appointed to receive proposals for printing for the Convention of South Carolina, have to report,

That they have received an offer from Messrs. Evans & Cogswell, to do "all the work to be done, in style and quality fully equal to that done for the State, by the Printer in Columbia, at the same proportionate rates of compensation as is paid to the Printer to the State Senate."

The Committee, believing Messrs. Evans & Cogswell to be reliable, and that they will do the work as stated, recommend the adoption of the following resolutions:

*Resolved*, That Messrs. Evans & Cogswell be appointed Printers to this Convention while it holds its sittings in Charleston.

*Resolved*, That the Committee appointed to receive proposals for Printing, be continued as a Standing Committee, and that one of its duties be to supervise the printing of this Convention.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the following resolutions, which had been made the special order of the day for this day, at one o'clock, P. M.:

*Resolved*, That the President do appoint four Standing



Committees for this Convention, each consisting of seven, as follows :

1. A Committee on Relations with the Slaveholding States of North America ;
2. A Committee on Foreign Relations ;
3. A Committee on Commercial Relations ;
4. A Committee on the Constitution of the State.

Mr. Smith moved to amend the third clause of the resolution by adding the words "and Postal Arrangements ;" which amendment was accepted by the mover of the resolution.

Mr. Mazyck moved to strike out the number seven, and insert thirteen ; which amendment was also accepted by the mover of the resolution.

Mr. W. B. Wilson moved to add an additional section, providing for a separate Committee on Postal Arrangements.

Mr. Maxey Gregg moved to amend the second clause of the resolution by adding the words "with other States." Mr. Gregg withdrew his amendment.

On motion of Mr. Calhoun, the question was divided ; and the Resolutions were finally adopted in the following form :

*Resolved*, That the President do appoint four Standing Committees for this Convention, each consisting of thirteen as follows :

1. A Committee on Relations with the Slaveholding States of North America.
2. A Committee on Foreign Relations.
3. A Committee on Commercial Relations and Postal Arrangements.
4. A Committee on the Constitution of this State.

#### SPECIAL ORDER.

The Convention proceeded to the consideration of the

following Resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That so much of the Message of the President of the United States as relates to what he designates "the property of the United States in South Carolina," be referred to a Committee of            to report, of what such property consists; how acquired; and whether the purpose for which it was so acquired, can be enjoyed by the United States after the State of South Carolina shall have seceded, consistently with the dignity and safety of the State. And that said committee further report the value of the property of the United States not in South Carolina; and the value of the share thereof to which South Carolina would be entitled upon an equitable division thereof among the United States.

On motion of Mr. Harllee, the blank was filled with the number thirteen.

Mr. W. P. Shingler moved to amend the Resolution by requiring the committee to report the *debt*, as well as the property of the United States.

On motion of Mr. Harllee, the amendment was ordered to lie on the table.

The Resolution was agreed to.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the following Resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That it is inexpedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, should be forthwith appointed; and that it be referred to a committee of this convention to report thereon, by ordinance or otherwise.

On motion of Mr. De Treville, the special order was discharged, and was made the special order of the day for tomorrow, at one o'clock, P. M.

Mr. Memminger offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That a Committee, to consist of seven members, be appointed to draft a summary statement of the causes which justify the secession of South Carolina from the Federal Union.

Mr. Dunkin offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on Commercial Relations and Postal Arrangements, to inquire and report what measures of a temporary or permanent nature, or both, it may be proper to adopt in reference to Custom House and Postal Arrangements, in consequence of the contemplated withdrawal of South Carolina from the Union.

Mr. Hayne offered the following resolutions :

Whereas, the causes which have produced the separation of South Carolina from the Federal Union, have emanated from the States north of Mason and Dixon's line, using hireling labor only; and, whereas, it has not been against the Constitution of the United States that South Carolina has opposed her sovereignty, but the usurpations of a government in violation of this instrument :

*Resolved*, That a Commissioner be sent to each of the slaveholding States, bearing a copy of the Ordinance of Secession, and proffering to such State, or any one or more of them, the existing Constitution of the United States as the basis of a Provisional Government, to be adopted on the part of South Carolina, and any other slaveholding State or States, which, after seceding from the present Federal Union, shall be willing to unite with South Carolina



in the formation of a new Confederacy; and we do hereby ratify and confirm, from the date thereof, any action taken by such Commissioner, or Commissioners, by and with the consent of the Governor of South Carolina, in the formation of such Provisional Union; and we do further earnestly recommend that in \_\_\_\_\_ days after two or more States, in addition to South Carolina, shall have acceded to the said Provisional Union, an election shall be held for Senators and members of the House of Representatives of the new Congress, and President and Vice President of the new Confederacy.

*Resolved*, That three Commissioners be appointed to carry an authenticated copy of the Ordinance of Secession to Washington, to be laid before the President of the United States, with the request that the same shall be communicated to the Congress now in session; and said Commissioners are hereby authorized and empowered to treat for the delivery of the Forts, Magazines, Light Houses, and other real estate, and all appurtenances thereto, within the geographical limits of South Carolina, the authority to treat upon these subjects to be extended to the \_\_\_\_\_ day of February, which shall be in the year of our Lord one thousand eight hundred and sixty-one; provided, in the meantime, the said Forts, Magazines, and other places, are allowed to remain in the condition in which they may be at the adoption of this Ordinance; and they shall be further empowered to treat upon the subject of the public debt, and for a proper division of all other property than the above, now held by the Government of the United States, as agent of the States now embraced in said Confederacy, until such time as a new Confederacy of States shall be formed, of which South Carolina shall be one.

On motion of Mr. Hayne, the first resolution was referred to the Committee on Relations with the slaveholding States of North America, and was ordered to be printed.

Mr. Inglis moved that the second resolution be laid on the table.

Mr. Inglis withdrew his motion.

On motion of Mr. Hayne, the second resolution was referred to the Committee on Foreign Relations, and was ordered to be printed.

Mr. Memminger offered the following resolutions :

1. *Resolved*, That a Commission, to consist of three persons, be elected by ballot of this Convention, to proceed to Washington, to negotiate with the United States, acting through their General Government, as to the proper measures and arrangements to be made or adopted in the existing relations of the parties, and for the continuance of peace and amity between them.

2. *Resolved*, That five persons be elected by this Convention, by ballot, who shall be authorized to meet such Deputies as may be appointed by any other slaveholding State, for the purpose of organizing or forming a Southern Confederacy, with power to discuss and settle a Constitution or plan of Union, to be reported to the said States for their ratification, amendment or rejection. That the said Deputies shall invite a meeting at Columbia, or at such other place as may be agreed upon among the Deputies of the several States, and shall report to this Convention such Constitution or Articles, as may be agreed on by said Deputies.

On motion of Mr. Memminger, the first of these resolutions was referred to the Committee on Foreign Relations; and the second resolution to the Committee on Relations with the slaveholding States of North America.

The resolutions were ordered to be printed.

On motion of Mr. Hutson, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. Mazyek offered the following resolution, which was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed :

*Resolved*, That a Committee, to consist of mem-

bers, be appointed, whose duty it shall be to inquire and report to this Convention how much of the legislation of Congress would be *ipso facto* abrogated so far as this State is concerned, by the secession of the State from the Federal Union, and how much of it might remain of force, notwithstanding the act of secession.

On motion of Mr. Orr, the Convention was adjourned at forty-five minutes past four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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# R U L E S

OF THE

CONVENTION OF DECEMBER 17, 1860.

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RULE 1. The President and eighty-four members shall be a quorum to transact business.

2. If any member shall absent himself without leave, he may be sent for at his own expense, and be subject to the censure of the Convention.

3. No member shall speak more than twice to the same point without leave of the Convention.

4. Each member, when speaking, shall address himself to the Chair, standing and uncovered, at his place.

5. If two members rise to speak nearly at the same time, the President shall decide which was first up.

6. Every member, when speaking, shall adhere to the point before the Convention, and shall not be interrupted unless he departs from it, when he may be called to order.

7. When a question of order arises, it shall be decided by the President, in the first instance; but any member may appeal from his determination to the Convention.

8. When a motion is made and seconded, it shall, if required by a member, be reduced to writing, and delivered in at the table.

9. When a question is put by the President, and the Convention divides, the Clerk shall, at the request of any seven members present, take down and enter on the Journal the names of all those members who vote for and



against the question, and cause them to be published in any gazette of the State.

10. When the President desires to be heard, the members shall take their seats, and keep order whilst he is speaking.

11. When a motion is made for adjournment and seconded, no question shall be debated until the Convention shall have decided that motion.

12. Motions to adjourn, to take a recess, to lay on the table, to postpone indefinitely, or to a day beyond the session, to adjourn a debate, shall be decided without debate, after such short conversations as the President may permit.

13. On points not specified in the above rules, the Convention shall be governed by the "rules of the House of Representatives of the General Assembly of South Carolina," so far as they are applicable.

## THURSDAY, DECEMBER 20, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. T. R. English.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,

Allison,

Appleby,

Atkinson,

Ayer,

Barnwell,

Barron,

Barton,

Beaty,

Bethea,

Bellinger,

Bobo,

Bonneau,

Brabham,

Brown, C. P.

Brown, A. H.

Buchanan,

Burnet,

Cain,

Calhoun,

Caldwell,

Campbell,

Carn,

Carlisle,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Cheves,

Clarke,

Conner,

Crawford,

Curtis,

Dargan,

Davant,

Davis,

De Saussure,

De Treville,

Dozier,

Duncan,

Dunkin,

Dunovant, A. Q.

Dunovant, R. G. M.

Du Pre,

Easley,

Ellis,

English,

Evans,

Fair,

Finley,

Flud,

Forster,

Foster,

Frampton,

Furman,

Gadberry,

Garlington,

Geiger,

Gist,

Glover,

Goodwin,

Gourdin, R. N.

Gourdin, T. L.

Green,

Gregg, Maxey

Gregg, William

Grisham,

Hammond,

Hanckel,

Harlee,

Harrison,

Hayne,	Palmer,
Henderson,	Parker,
Honour,	Perrin,
Hopkins,	Pope,
Hunter,	Porcher,
Hutson,	Pressly,
Inglis,	Quattlebaum,
Ingram,	Rainey,
Jackson,	Reed,
Jefferies,	Rhett,
Jenkins, John	Rhodes,
Jenkins, J. E.	Richardson, F. D.
Johnson,	Richardson, J. P.
Keitt,	Robinson,
Kershaw,	Rowell,
Kilgore,	Rutledge,
Kinard,	Scott,
Kinsler,	Seabrook, E. M.
Landrum,	Seabrook, G. W., Sr.
Lawton,	Sessions,
Lewis,	Shingler, J. M.
Logan,	Shingler, W. P.
Lyles,	Simons,
McCrady,	Simpson,
McIver,	Smyly,
McKee,	Smith,
McLeod,	Snowden,
Magrath,	Spain,
Manigault,	Spratt,
Manning,	Springs,
Mauldin,	Stokes,
Maxwell,	Sims,
Mayes,	Thompson, R. A.
Mazyek,	Thomson, Thomas
Means,	Timmons,
Memminger,	Tompkins,
Middleton, J. I.	Townsend,
Middleton, W.	Wagner,
Miles,	Wannamaker,
Moore,	Wardlaw, D. L.
Moorman,	Wardlaw, F. H.
Noble,	Watts,
Nowell,	Wier,
O'Hear,	Whitner,
Orr,	Williams,

Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.

Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.  
Mr. Read offered the following resolution:

*Resolved*, That the Mayor of the City of Charleston be invited to a seat on the floor of the Convention.

Mr. Means moved that the resolution be amended so as to include in the invitation the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The amendment was accepted by the mover of the resolution; and the resolution, as amended, was adopted.

The President announced the following Committees:

Committee to draft a summary statement of the causes which justify the secession of South Carolina:

Messrs. C. G. Memminger,  
F. H. Wardlaw,  
R. W. Barnwell,  
J. P. Richardson,  
B. H. Rutledge,  
J. E. Jenkins,  
P. E. Duncan.

Committee on so much of the Message of the President of the United States as relates to the claim of property of the United States within the limits of South Carolina:

Messrs. A. G. Magrath,  
L. M. Keitt,  
J. P. Carroll,  
W. W. Harllee,  
J. H. Wilson,  
R. G. M. Dunovant,  
W. H. Campbell,

Messrs. J. P. Reed,  
W. Hopkins,  
W. S. Lyles,  
G. W. Seabrook, Sr.,  
J. J. Ingram,  
E. M. Clarke.

Committee on Relations with the slaveholding States of  
North America:

Messrs. T. J. Withers,  
J. H. Means,  
J. L. Manning,  
J. Townsend,  
H. C. Young,  
A. Mazyck,  
L. M. Ayer,  
W. B. Wilson,  
T. R. English,  
S. Fair,  
R. J. Davant,  
J. M. Gadberry,  
E. St. P. Bellinger.

Committee on Foreign Relations:

Messrs. W. P. Miles,  
J. H. Adams,  
W. H. Gist,  
F. D. Richardson,  
L. W. Spratt,  
Wm. Cain,  
T. L. Gourdin,  
A. W. Burnet,  
G. Manigault,  
E. Noble,  
J. S. O'Hear,  
J. D. Pope,  
E. W. Charles.



Committee on Commercial Relations and Postal Arrangements:

Messrs. B. F. Dunkin,  
E. McCrady,  
H. W. Conner,  
R. N. Gourdin,  
J. L. Nowell,  
T. D. Wagner,  
Wm. Gregg,  
J. J. P. Smith,  
J. Jenkins,  
W. Middleton,  
A. H. Brown,  
E. M. Seabrook,  
R. F. Simpson.

Committee on the Constitution of the State:

Messrs. D. L. Wardlaw,  
J. N. Whitner,  
T. W. Glover,  
I. W. Hayne,  
R. De Treville,  
J. A. Dargan,  
T. Thomson,  
J. Buchanan,  
A. C. Spain,  
H. McIver,  
T. C. Perrin,  
W. D. Johnson,  
J. B. Kershaw.

The President announced that Mr. R. C. Logan is appointed Cashier, and Mr. J. G. Pressley Deputy Cashier, of the Convention.

Mr. Rhett offered the following resolution:

*Resolved*, That a Committee of Thirteen be appointed to report to this Convention an Ordinance proposing and

providing for the assemblage of a Convention of the slaveholding States of the United States to form the Constitution of a Southern Confederacy.

On motion of Mr. F. H. Wardlaw, the resolution was referred to the Committee on the slaveholding States of North America.

Mr. Inglis, from the Committee appointed to prepare an Ordinance proper to be adopted by the Convention, presented the following

### REPORT:

The Committee appointed to prepare a draft of an Ordinance proper to be adopted by the Convention in order to effect the secession of South Carolina from the Federal Union, respectfully report,

That they have had the matter referred under consideration, and believing that they would best meet the exigencies of the great occasion, and the just expectations of the Convention, by expressing, in the fewest and simplest words possible to be used, consistently with perspicuity, all that is necessary to effect the end proposed and no more, and so excluding everything, which, however proper in itself, for the attention and action of the Convention, is not a necessary part of the solemn act of secession, but may, at least, be as well effected by a distinct Ordinance or resolution, they submit for the consideration of the Convention the accompanying brief draft:

### AN ORDINANCE

To dissolve the Union between the State of South Carolina and other States united with her under the compact entitled "The Constitution of the United States of America."

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That the Ordinance adopted by us in Convention, on

the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all Acts, and parts of Acts, of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the union now subsisting between South Carolina and other States, under the name of "The United States of America," is hereby dissolved.

Mr. Spain moved that business be suspended for fifteen minutes; which motion was not agreed to.

The question being put, will the Convention adopt the Ordinance? it passed in the affirmative;

Yeas, 169; Nays, none.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, President; and

Messrs. Adams,	Carroll,
Allison,	Caughman,
Appleby,	Cauthen,
Atkinson,	Charles,
Ayer,	Chesnut,
Barnwell,	Cheves,
Barron,	Clarke,
Barton,	Conner,
Beaty,	Crawford,
Bethea,	Curtis,
Bellinger,	Dargan,
Bobo,	Davant,
Bonneau,	Davis,
Brabham,	De Saussure,
Brown, A. H.	De Treville,
Brown, C. P.	Dozier,
Buchanan,	Duncan,
Burnet,	Dunkin,
Cain,	Dunovant, A. Q.
Calhoun,	Dunovant, R. G. M.
Caldwell,	Du Pre,
Campbell,	Easley,
Carn,	Ellis,
Carlisle,	English,

Evans,	Logan,
Fair,	Lyles,
Finley,	McCrady,
Flud.	McIver,
Forster,	McKee,
Foster,	McLeod,
Frampton,	Magrath,
Furman,	Manigault,
Gadberry,	Manning,
Garlington.	Mauldin,
Geiger,	Maxwell,
Gist,	Mayes,
Glover,	Mazyek,
Goodwin,	Means,
Gourdin, R. N.	Memminger,
Gourdin, T. L.	Middleton, John Izard
Green,	Middleton, W.
Gregg, Maxey	Miles,
Gregg, William	Moore,
Grisham,	Moorman,
Hammond,	Noble,
Hanckel,	Nowell,
Harlee,	O'Hear,
Harrison,	Orr,
Hayne,	Palmer,
Henderson,	Parker,
Honour,	Perrin,
Hopkins,	Pope,
Hunter,	Porcher,
Hutson,	Pressley,
Inglis,	Quattlebaum,
Ingram,	Rainey,
Jackson,	Reed,
Jefferies,	Rhett,
Jenkins, John	Rhodes,
Jenkins, J. E.	Richardson, F. D.
Johnson,	Richardson, J. P.
Keitt,	Robinson,
Kershaw,	Rowell,
Kilgore,	Rutledge,
Kinard,	Scott,
Kinsler,	Seabrook, E. M.
Landrum,	Seabrook, G. W., Sr.
Lawton,	Sessions,
Lewis,	Shingler, W. P.

Shingler, J. M.	Townsend,
Simons,	Wagner,
Simpson,	Wannamaker,
Smyly,	Wardlaw, D. L.
Smith,	Wardlaw, F. H.
Snowden,	Watts,
Spain,	Wier,
Spratt,	Whitner,
Springs,	Williams,
Stokes,	Wilson, I. D.
Sims,	Wilson, J. H.
Thompson, R. A.	Wilson, W. B.
Thomson, Thomas	Withers,
Timmons,	Woods,
Tompkins,	Young.

On motion of Mr. Miles, it was ordered that the Clerk telegraph forthwith to our members of Congress in Washington the result of the vote and the Ordinance of Secession.

Mr. De Saussure offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That a message be sent to His Excellency the Governor, and to both branches of the Legislature, inviting their attendance at the Institute Hall, at seven o'clock this evening; and that this Convention move in procession to the Institute Hall, and there, at seven o'clock, in the presence of the constituted authorities of the State, and of the People, sign the Ordinance of Secession.

*Resolved*, That the President invite a member of the reverend clergy to attend at Institute Hall, at seven o'clock, this evening, and, upon the signing of the Ordinance, to return thanks to Almighty God, on behalf of the People of this State, and to invoke His blessing upon our proceedings.

*Resolved*, That the Ordinance be engrossed, under the direction of the Attorney General and the Solicitors, upon parchment, and signed by the President and members of the Convention at the Institute Hall, in the alphabetical



order of Election Districts, and be deposited in the archives of the State.

Mr. Dunkin offered the following Ordinance, which was considered immediately:

Be it ordained, by the People of South Carolina, by their Delegates in Convention assembled,

That until otherwise provided by the Legislature, the Governor shall be authorized to appoint Collectors and other officers connected with the Customs for the several ports within the State of South Carolina, and also all Post Masters within the said State; and that, until such appointment shall have been made, the persons now charged with the duties of the said several offices shall continue to discharge the same, keeping an account of the moneys received and disbursed by them respectively.

Mr. Gadberry moved to amend, by striking out the words "by the Legislature."

Mr. Dunkin accepted the amendment.

Mr. E. M. Seabrook moved that the Ordinance be referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Seabrook withdrew his motion.

Mr. Carroll moved that the Ordinance be made the special order of the day for to-morrow, at one o'clock, P. M., which motion was not agreed to.

Mr. Maxey Gregg moved to strike out all after the ordaining words, and insert the following:

We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that until otherwise provided for by the General Assembly, the importation of merchandize into this State shall be free and unrestricted; and it shall be the duty of the Governor to make such temporary regulations as may be requisite, concerning the entry and clear-

ance of vessels, and to appoint such officers as may be needed for the purpose; and it shall be the duty of the General Assembly to provide proper compensation for all officers whose appointment is required by this Ordinance.

Section 2. And it is further ordained and declared that, until otherwise provided for by the General Assembly, it shall be the duty of the Governor to appoint Post-masters, and to make such temporary arrangements as may be requisite for the transportation of the mails, having due regard to mail contracts with the Government of the United States, now subsisting.

Mr. J. I. Middleton proposed the following amendment, as an additional clause to the Ordinance :

And the Collectors of the Customs are hereby instructed to levy and collect duties on all goods, wares and merchandize, at half the rates heretofore exacted by operation of the last Tariff Act of the United States Government, until otherwise directed by law.

Mr. Hutson offered the following amendment :

We, the people of the Commonwealth of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That until the General Assembly shall otherwise provide, all citizens of this State now holding office under the Government of the United States, within the limits of South Carolina, be, and they are hereby appointed to hold, under the Government of this State, the same offices they now fill, with the pay and the emoluments they now receive.

And be it further ordained, that until the General Assembly shall otherwise provide, the revenue and postal laws of the United States be, and they are hereby, adopted and made the laws of this State; saving and excepting that no duties shall be collected upon goods, wares, merchan-

dizes and productions imported from any of the slaveholding commonwealths of North America.

And be it further ordained, that all monies collected by any of the officers aforesaid shall, after deducting the sums necessary for the compensation of officers and other expenses, be paid into the Bank of the State of South Carolina, subject to the order of the General Assembly.

And be it further ordained, that the officers aforesaid shall retain in their hands all property of the United States in their possession, custody and control, subject to the disposal of the General Assembly, who will account for the same upon a final settlement with the Government of the United States.

Mr. A. H. Brown offered the following amendment :

That the Governor of the State be empowered forthwith to collect duties on imports at the rates now existing in the United States, and appoint Collectors or other recipients for the same, and hold them subject to the further direction of this body, and also continue the present Postal Arrangements, in part contracted on our behalf, till further arrangements can be effected.

On motion, the ordinance, and the amendments proposed, were ordered to be printed.

Pending the debate,

On motion of Mr. Mazyek, business was suspended at forty-five minutes past three o'clock, p. m., till half-past six o'clock, p. m.

## RECESS.

The President resumed the chair.

On motion of Mr. Rhett, it was ordered, that when the Convention adjourn, it shall be adjourned to meet to-morrow, at twelve o'clock, m.

Mr. De Saussure offered the following resolution, which, on motion of Mr. Bonneau, was ordered to lie on the table:

*Resolved*, That the Charleston Delegates to the Convention be requested to cause an alteration to be made in the arrangement of the Hall, so that the seat of the President shall be in the centre of the Hall, on the south side, opposite to the front entrance; and the chairs of the members be arranged on the right hand and the left, facing the chair, thus bringing the members face to face, and ensuring the chance of being distinctly heard.

A message was received from the Senate, through their Clerk, Mr. William E. Martin, informing the Convention that the Senate accepted the invitation of the Convention, to attend the signing of the Ordinance of Secession at Institute Hall, this evening, at seven o'clock.

A message was received from the House of Representatives, through their Clerk, Mr. John T. Sloan, informing the Convention that the House of Representatives accepted the invitation of the Convention, to attend the signing of the Ordinance of Secession at Institute Hall, this evening, at seven o'clock.

The Convention moved in procession to Institute Hall. The President took the chair, and the proceedings were opened with prayer by Rev. Dr. Bachman.

The Attorney General, Mr. I. W. Hayne, made the following report:

The Attorney-General and the Solicitors, to whom was confided the care of the Ordinance of this Convention for engrossing and enrollment, have performed that duty, and caused the great seal of the State to be attached thereto.

Whereupon, the Ordinance was presented, and was signed by every member of the Convention, the Election Districts having been called in alphabetical order.

When the signing was completed, the President of the Convention said:

The Ordinance of Secession has been signed and ratified,

and I proclaim the State of South Carolina an Independent Commonwealth.

On motion, the Convention was adjourned at fifteen minutes past nine o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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FRIDAY DECEMBER 21, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. D. Du Pre.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bethea,  
Bellinger,  
Bobo,  
Bonneau,  
Brabham,  
Brown, A. H.  
Buchanan,  
Calhoun,  
Caldwell,  
Campbell,  
Carn,  
Carlisle,  
Carroll,  
Caughman,

Cauthen,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
Davant,  
Davis,  
De Sanssure,  
De Treville,  
Duncan,  
Dunkin,  
Du Pre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Finley,  
Flud,  
Forster,



Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Green,  
Gregg, Maxcy  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCady,  
McIver,  
McKee,  
McLeod,  
Magrath,

Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Memminger,  
Middleton, J. Izard  
Middleton, W.  
Moore,  
Moorman,  
Nowell,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, W. P.  
Shingler, J. M.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,

Tompkins,	Whitner,
Townsend,	Williams,
Wagner,	Wilson, I. D.
Wannamaker,	Wilson, J. H.
Wardlaw, D. L.	Wilson, W. B.
Wardlaw, F. H.	Withers,
Watts,	Woods,
Wier,	Young.

Mr. Adams moved that this Convention go into secret session.

On motion of Mr. Perrin, the motion was ordered to lie on the table.

Mr. Rhett presented the report of the Committee appointed to prepare an address to the people of the Southern States.

On motion of Mr. D. L. Wardlaw, the address was ordered to be printed.

Mr. Carn moved that the address be made the special order of the day for Monday next, at one o'clock, p. m.

Mr. Reed moved to amend, by striking out "Monday next" and inserting "to-morrow"; which amendment was agreed to, and the address was made the special order of the day for to-morrow, at one o'clock, p. m.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported the following

#### ORDINANCE:

An Ordinance to alter the Constitution of the State of South Carolina in respect to the oath of office.

We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That the Fourth Article of the Constitution of the State of South Carolina, heretofore amended, be now altered so as to read as follows, to wit:

All persons who shall be elected or appointed to any office of profit or trust, before entering on the execution

thereof; shall take (besides special oaths, not repugnant to this Constitution prescribed by the General Assembly) the following oath: "I do solemnly swear (or affirm) that I will be faithful, and true allegiance bear, to the State of South Carolina, so long as I may continue a citizen thereof; and that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, so help me God."

On motion of Mr. D. L. Wardlaw, the Ordinance was considered immediately, was adopted, was ordered to be engrossed and to be signed by the President and the Clerk.

On motion of Mr. Pressley, leave of absence was granted to Mr. Dozier, on account of sickness.

On motion of Mr. Spain, leave of absence, until Monday, the 31st instant, was granted to Mr. Green, on account of indisposition.

### SPECIAL ORDER.

On motion of Mr. DeTreville, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for Thursday, at one o'clock, P. M.:

*Resolved*, That it is expedient that a Council, to consist of five citizens of the State, to act with the Governor of the State as his counsellors and advisers, and to be called a Council of Safety, should be forthwith appointed; and that it be referred to a Committee of this Convention to report thereon, by Ordinance or otherwise.

On motion of Mr. DeTreville, the resolution was amended by striking out all after the word "Resolved," and inserting the following: "That it be referred to the Committee on the Constitution to enquire and report on the expediency of appointing forthwith a Council to consist of —"

citizens of the State, to act with the Governor of the State, as his counsellors and advisers, and to be called a Council of Safety."

On motion of Mr. De Treville, the resolution, as amended, was agreed to.

On motion of Mr. Adams, the Convention went into

### SECRET SESSION.

Mr. Harlee offered the following resolution which was considered immediately and was agreed to.

*Resolved*, That a Committee of three be appointed to wait upon his Excellency the Governor, for the purpose of ascertaining if there be any information in his possession which requires this Convention to advise with him in secret session, or suggest any course for him to pursue, other than the exercise of his own discretion in the present state of affairs.

Whereupon, the President appointed Messrs. Harlee, Orr and Chesnut, of the Committee.

Mr. Miles, from the Committee on Foreign Relations, presented the following Report:

The Committee on Foreign Relations to whom were referred certain resolutions touching the appointment of Commissioners, to treat with the United States, concerning the property of the latter in South Carolina, and other matters, beg leave respectfully to Report:

That they have duly considered the subjects submitted to them, and recommend the immediate adoption of the following resolution:

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits of South Caro-

lina, and also for an apportionment of the public debt and for a division of all other property held by the Government of the United States, as agent of the Confederate States, of which South Carolina was recently a member; and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relations of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington.

Mr. Barnwell offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table.

*Resolved*, That James Chesnut, Jr., W. P. Miles, L. M. Keitt and William H. Trescott, be appointed Commissioners of this Convention, with instructions to proceed forthwith to Washington, to lay the Ordinance of Secession before the Federal Government, and to treat with that Government concerning the property claimed by it within this State, and any other right affected by the act of secession.

Mr. Maxey Gregg offered the following amendment:

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to present to the President of the Confederacy, from which the State of South Carolina has now withdrawn, a copy of the Ordinance adopted by this Convention on the twentieth day of the present month, and to demand of him the immediate withdrawal from the territory of South Carolina, of the military and naval forces now there under his command, and the immediate delivery of the forts, with their armaments and of the other buildings and lands heretofore held by the Government of the United States within the territory of South Carolina; and also to offer to treat, on the part of the State of South Carolina, concerning an equitable division of the public property of the late Confederacy and



apportionment of the public debt and arrangement of postal affairs, and concerning any other measures which may be proper to be adopted for the preservation of peace and amity between this Commonwealth and the Government at Washington.

Mr. Gregg withdrew his amendment.

The Report of the Committee was agreed to.

Mr. Harlee, from the Committee appointed to wait upon his Excellency the Governor, reported that they had discharged that duty, and that his Excellency was not in possession of information, making it necessary for him to communicate with the Convention in Secret Session.

On motion of Mr. Gist, the doors of the Hall were thrown open.

On motion of Mr. Buchanan, it was ordered, that when the Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

On motion of Mr. J. I. Middleton, leave of absence, till Monday next, was granted to Mr. Appleby.

On motion of Mr. Inglis, business was suspended at fifty-five minutes past three o'clock, P. M., until seven o'clock P. M.

## RECESS.

The President resumed the Chair.

The President laid before the Convention the following communication, which was received as information, and was left in the possession of the President:

CHARLESTON HOTEL, December 21, 1860.

HON. D. F. JAMISON,

*President of the South Carolina Convention,  
now sitting in Charleston:*

DEAR SIR: I have the honor to lay before you, for information, a despatch, just received by me, from his Excellency, John J. Pettus, Governor of Mississippi, in which

he informs me that in Hinds County, where the most formidable opposition, or co-operation, ticket in the State was organized, those in favor of separate State action have succeeded by a majority of three hundred; and that we have the State Convention by a majority of *four to one*.

I have the honor to enclose the despatch, to be disposed of at your pleasure.

Very respectfully, your obedient servant,

C. E. HOOKER.

The despatch referred to is as follows:

To Hon. C. E. HOOKER, Commissioner:

Hinds County three hundred majority for prompt secession. Our majority in Convention four to one.

JOHN J. PETTUS.

Mr. Adams, from the Committee appointed to count the ballots cast for three Commissioners to Washington, reported that one hundred and sixty-four (164) ballots were cast, with the following result:

Mr. W. P. Miles received 22 votes; R. W. Barnwell, 104; L. M. Keitt, 4; C. G. Memminger, 38; T. J. Withers, 44; J. H. Adams, 21; A. G. Magrath, 69; I. W. Hayne, 1; J. S. Preston, 23; J. P. Carroll, 4; J. L. Orr, 59; Wm. H. Trescott, 34; R. B. Rhett, 10; J. Chesnut, Jr., 29; D. L. Wardlaw, 9; W. P. Finley, 3; J. L. Manning, 1; W. F. De Saussure, 2; Maxey Gregg, 6; John McQueen, 1; W. H. Gist, 1; John A. Inglis, 4; I. D. Wilson, 1; W. W. Harlee, 1; B. F. Dunkin, 2; J. P. Richardson, 1; J. Townsend, 1. Eighty-three being a majority, R. W. Barnwell only, is elected.

On motion of Mr. De Treville, the Convention proceeded to a second ballot for Commissioners to Washington.

Mr. Memminger, from the Committee appointed to prepare a declaration of the causes which justify the secession of South Carolina from the Federal Union, made a report, which, on motion of Mr. Dargan, was made the special

order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

Mr. Atkinson, from the Committee appointed to count the ballots cast on the second ballot for Commissioners to the Federal Government at Washington, reported that no one had received a majority of the ballots cast, and that, consequently, there was no election.

The Convention proceeded to a third ballot for Commissioners to the Federal Government at Washington.

On motion of Mr. Bobo, leave of absence, till Wednesday next, was granted to Mr. Carlisle, on account of the illness of his family.

On motion of Mr. Dunkin, the following Ordinance, together with the amendments thereto, was taken up from the table :

Be it ordained by the People of South Carolina, by their Delegates in Convention assembled,

That until otherwise provided, the Governor shall be authorized to appoint Collectors and other officers connected with the customs for the several ports within the State of South Carolina, and also, all Post-masters within the said State; and that until such appointment shall have been made, the persons now charged with the duties of the said several offices shall continue to discharge the same, keeping an account of the monies received and disbursed by them respectively.

On motion of Mr. Dunkin, the Ordinance, together with the amendments, was referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Cheves offered the following Ordinance, which, on motion of Mr. Cheves, was referred to the Committee on Commercial Relations and Postal Arrangements, and was ordered to be printed :

Whereas, the Federal Government of the United States of America, has, from time to time, with the consent of

this State, created certain offices of profit and trust, as well within as without the limits of this State ;

And whereas, divers persons, as well citizens of this State, as others, have, with the consent of this State, and by the appointment of the said Federal Government of the United States of America, undertaken the execution of the functions of the said offices, and become bound by official oaths and heavy penalties, to the Federal Government aforesaid, for the performance of the same ;

And whereas, the sudden arrest of the functions of the said offices would work great inconvenience to the citizens of this State, and grievous hardship to the persons bound as aforesaid ;

Wherefore, for the convenience of this State and for the relief of said persons,

Be it ordained, and by the people of the State of South Carolina, in Convention assembled, it is ordained,

That all persons who were in occupation of any office of profit or trust under the Government of the United States of America, immediately previous to the adoption of the Ordinance of Secession, shall continue to exercise the functions of the same, in like manner and form precisely as before the adoption of said Ordinance, until otherwise ordered.

And that all Laws of the Federal Government of the United States of America, which shall have been abrogated by virtue of said Ordinance, are hereby declared in full force and effect for the purposes aforesaid, and no other.

And be it further ordained, that the operation of this Ordinance may be, at any time, suspended by the Governor of this State at his discretion.

And that the General Assembly of this State is authorized and empowered to repeal the same whensoever it shall be by them deemed expedient.

Mr. Reed offered the following resolution, which, on motion of Mr. Means, was ordered to lie on the table :

*Resolved*, That when this Convention adjourns, it shall

be adjourned to meet on Tuesday, the fifteenth day of January next, at twelve o'clock, M.

Mr. John Izard Middleton offered the following resolutions, which were referred to the Committee on Commercial Relations and Postal Arrangements :

*Resolved*, That until the General Assembly shall otherwise determine, all goods, wares and merchandize imported into this Commonwealth, be subjected to a rate of duties amounting to one-half of that exacted by the late Government of the United States, excepting all goods, wares, and merchandize imported from any of the slaveholding States of this Continent, at amity with this Commonwealth, the products of which shall be free of all duties.

*Resolved*, That until the General Assembly shall otherwise provide, duties on the tonnage of all vessels resorting to the ports of this Commonwealth, shall be at the rates heretofore exacted by the late Government of the United States.

On motion of Mr. Mazyek, the following Resolution was taken up:

*Resolved*, That a Committee, to consist of        members, be appointed, whose duty it shall be to inquire and report to this Convention how much of the Legislation of Congress would be *ipso facto* abrogated, so far as this State is concerned, by the secession of the State from the Federal Union, and how much of it might remain of force, notwithstanding the Act of Secession.

On motion of Mr. Mazyek, the blank was filled with the number thirteen, and the Resolution, as amended, was agreed to.

Mr. Middleton offered the following Ordinance, which, on motion of Mr. Chesnut, was ordered to lie on the table:

Be it ordained, by the People of the State of South Carolina, now met and sitting in Convention, that all citizens



of South Carolina in the naval and military service of the United States who have, in consequence of the present aspect of political affairs, resigned their commissions, or who may, for that cause, resign their commissions within the term of            months, shall be entitled to and shall be placed in the same grade in the service of the Commonwealth of South Carolina, with that which they relinquish, and shall receive, respectively, the pay and emoluments attached to their grade in the late United States service, subject, in all cases, to such enactments in relation to naval and military affairs as may be passed by the General Assembly.

Mr. Barron, from the Committee appointed to count the ballots cast on the third ballot for Commissioners to the Federal Government at Washington, reported that Messrs. James H. Adams and James L. Orr had received a majority of the ballots cast. Whereupon, the President announced that Messrs. R. W. Barnwell, James H. Adams, and James L. Orr, are duly elected Commissioners to the Federal Government at Washington.

On motion of Mr. Bobo, the Convention was adjourned at five minutes past ten o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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## SATURDAY, DECEMBER 22, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. John G. Landrum.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,	Evans,
Allison,	Fair,
Atkinson,	Finley,
Ayer,	Flud,
Barnwell,	Forster,
Barron,	Foster,
Barton,	Frampton,
Beaty,	Furman,
Bethea,	Gadberry,
Bellinger,	Garlington,
Bobo,	Geiger,
Bonneau,	Gist,
Brabham,	Glover,
Brown, A. H.	Goodwin,
Brown, C. P.	Gourdin, R. N.
Buchanan,	Gourdin, T. L.
Burnet,	Gregg, Maxcy,
Cain,	Gregg, William
Calhoun,	Grisham,
Caldwell,	Hammond,
Campbell,	Hanckel,
Carn,	Harlee,
Carroll,	Harrison,
Caughman,	Hayne,
Cauthen,	Henderson,
Charles,	Honour,
Chesnut,	Hopkins,
Cheves,	Hunter,
Clarke,	Hutson,
Conner,	Inglis,
Crawford,	Ingram,
Curtis,	Jackson,
Dargan,	Jefferies,
Davant,	Jenkins, John
Davis,	Jenkins, J. E.
De Saussure,	Johnson,
De Treville,	Keitt,
Duncan,	Kershaw,
Dunkin,	Kilgore,
Dunovant, A. Q.	Kinard,
Dunovant, R. G. M.	Kinsler,
Du Pre,	Landrum,
Easley,	Lawton,
Ellis,	Lewis,
English,	Logan,

Lyles,	Rowell,
McCrary,	Rutledge,
McIver,	Scott,
McKee,	Seabrook, E. M.
McLeod,	Seabrook, G. W., Sr.
Magrath,	Sessions,
Manigault,	Shingler, J. M.
Manning,	Shingler, W. P.
Mauldin,	Simons,
Maxwell,	Simpson,
Mayes,	Smyly,
Mazyck,	Smith,
Means,	Snowden,
Memminger,	Spain,
Middleton, J. I.	Spratt,
Middleton, W.	Springs,
Miles,	Stokes,
Moore,	Sims,
Moorman,	Thompson, R. A.
Noble,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Orr,	Townsend,
Palmer,	Wagner,
Parker,	Wannamaker,
Perrin,	Wardlaw, D. L.
Pope,	Wardlaw, F. H.
Porcher,	Watts,
Pressley,	Wier,
Quattlebaum,	Whitner,
Rainey,	Williams,
Reed,	Wilson, I. D.
Rhett,	Wilson, J. H.
Rhodes,	Wilson, W. B.
Richardson, F. D.	Withers,
Richardson, J. P.	Woods,
Robinson,	Young.

The President announced the following gentlemen as the Committee to inquire how much of the legislation of Congress would be abrogated by the secession of the State from the Federal Union:

Messrs. Alexander Mazyek,  
 H. C. Davis,  
 B. B. Foster,  
 T. M. Hanckel,  
 B. F. Kilgore,  
 J. Maxwell,  
 R. Moorman,  
 J. S. Palmer,  
 W. P. Shingler,  
 A. B. Springs,  
 J. Tompkins,  
 S. Bobo,  
 H. I. Caughman.

The President laid before the Convention the following communication :

CHARLESTON, Dec. 21, 1860.

*Honorable the President and Delegates  
 of the Commonwealth of South Carolina :*

GENTLEMEN: The Commissioners of the Orphan House have instructed me to invite you to visit the Institution of the Orphan House in this city, whenever it may suit your convenience to do so, individually or as a body.

The House will be at all times open for your inspection.  
 Respectfully,

H. A. DE SAUSSURE,  
*Chairman of Commissioners of Orphan House.*

On motion, the communication was received as information, and the invitation was accepted.

Mr. Means offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Commissioners to the Federal Government at Washington be authorized to appoint a Secretary, if necessary.

Mr. Gadberry offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That it be referred to the Committee on the Constitution, to inquire whether the powers heretofore delegated to the Federal Government by this State, and resumed by the Ordinance of Secession, may not be properly bestowed upon the Legislature of this State; and if so, to report to this Convention an Ordinance for that purpose.

Mr. De Saussure, from the Committee on the Address to the People of the Southern States, made a Report on the Address of a portion of the members of the General Assembly of Georgia; which, on motion of Mr. Withers, was ordered to lie on the table and to be printed.

Mr. Miles offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That the travelling expenses of our Commissioners to Washington be paid, and that they receive ten dollars each, *per diem*, for their personal expenses during the time they may be employed in the discharge of the duties of their mission.

Mr. Hayne offered the following Resolution, which was considered immediately, and was agreed to: .

*Resolved*, That the resolution, adopted in secret session, for the appointment of Commissioners to the Government of the United States, be committed to C. D. Melton, Esq., one of the Solicitors of the State, for the purpose of preparing commissions for the Commissioners elected by this body—the said C. D. Melton being first sworn to secrecy.

Mr. Simons offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That there be added to the Standing Committees of this Convention an Engrossing Committee, to consist of three members, to be appointed by the President.



Mr. Miles offered the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That the injunction of secrecy be removed as to yesterday's proceedings, and that the report of the Committee on Foreign Relations be printed with the Journal of this day.

On motion of Mr. Magrath, the Convention went into

### SECRET SESSION.

Mr. Magrath, from the Committee to whom had been referred so much of the message of the President of the United States as relates to the property of the United States within the limits of South Carolina, made the following

### REPORT.

The Committee to whom was referred so much of the message of the President of the United States as relates to the property of the United States, within the limits of South Carolina, ask leave to report, that the several matters embraced in the resolution, will require, necessarily, some delay in obtaining the information proper for the Convention. From Mr. Colecock, who filled the office of Collector at the port of Charleston, they have received all the information which they desired in relation to that portion of the property of the United States, within the limits of this State, which was under his control. This information is embraced in a paper annexed to this report. In addition to it, Mr. Colecock has kindly furnished information of the Light-Houses within this Collection District, which will also be found in a paper annexed to this report.

From the information which this Committee has received, it can further report, that in the waters of South Carolina, are two forts: one known as Fort Sumter, the other known as Castle Pinckney. Within the limits of the

State, situate on Moultrieville, is another fort, known as Fort Moultrie ; and within the corporate limits of the City of Charleston, is the Arsenal, owned by the United States, and used as a depot for arms, ammunition and equipment.

The purposes for which these places, last referred to, were acquired, this Committee can only undertake to report, when, from the grants, deeds or other modes in which they have been obtained, a recital of the same will serve the purpose of affording exact information.

A further direction to the Committee was to enquire and report, whether the continued possession of these places, now referred to, after the secession of the State, is, or not, consistent with its safety and honor.

In the opinion of the Committee, such possession, by the United States, is not consistent either with the honor or safety of the State.

While the State of South Carolina was one of the Confederation known as the United States, the purpose of the three forts was, under the orders of the General Government of the United States, and in the discharge of its obligation to provide for the common defence, to repel invasion. An attack upon South Carolina, was an attack upon the United States.

But no purpose of common defence can now be urged for the retention of that possession of these places, which the General Government has heretofore enjoyed. The obligation of a common defence, no longer binds the State of South Carolina to the surrender of her soil, the control of her waters, or the possession of places within her territorial limits, and in which neither the process of her Courts, nor the laws she enacts, will be permitted to operate.

Regarding, therefore, the possession of these forts by the General Government of the United States, as no longer required by a regard for the common defence of the United States ; and that, in the separate and independent condition of South Carolina, such possession would indicate the assertion of a right to control, within the limits of the State, by a power now, in all its relations, foreign ; and

that such possession by the Government of the United States, under such circumstances, would be inconsistent with the safety and honor of the State, the Committee recommend the adoption of the following resolution :

*Resolved*, That Fort Moultrie, Fort Sumter, Castle Pinckney, and the land and buildings within the limits of the City of Charleston, known as the Arsenal, should be subject to the authority and control of the State of South Carolina, and that the possession of the said forts and arsenal should be restored to the State of South Carolina.

On motion of Mr. Magrath, the report was ordered to lie on the table ; and the resolution was taken up for consideration.

Mr. A. H. Brown offered the following amendment, as an additional clause : "And that the Commissioners be further instructed to declare that South Carolina will not regard with indifference any attempt on the part of the Federal Government further to fortify or garrison the forts located within its limits."

Mr. Hutson offered the following amendment :

"All the land within the limits of the State of South Carolina, now in the actual or constructive possession of the United States."

Mr. ——— offered the following amendment :

*Resolved*, That our Commissioners to Washington should demand the speedy delivery to the State of South Carolina of the ungarrisoned fortifications—Castle Pinckney and Fort Sumter—as essential to the security of Charleston ; consistent with the dignity of the State, and as the most effectual means of preserving peace and amity between this Commonwealth and the Government at Washington.

*Resolved*, That they should demand the withdrawal of the United States Troops, now in Fort Moultrie, at the earliest practicable period, and the delivery of that fort immediately thereafter to the authorities of South Carolina.

*Resolved*, That the Commissioners should not await an answer to these demands longer than the — day of January, 1861—but upon the expiration of the above period, or in case of refusal of the above demands, or refusal to receive or treat with the Commissioners, that the said Commissioners return immediately home and report the result of their mission to this Convention.

*Resolved*, That upon the acquiescence of the Government at Washington, in the above mentioned demands, and the receipt of intelligence from the Governor of South Carolina that Fort Sumter and Castle Pinckney are in the possession of the authorities of the State, that the Commissioners do then, and not before, proceed to treat and negotiate touching all other matters and things committed to them by the resolution of the Convention creating the Commission.

Mr. D. L. Wardlaw offered the following resolution as an additional clause to the resolution reported by the Committee :

*Resolved*, That our Commissioners, being fully possessed of this resolution, and of the opinions of this Convention in reference to troops in the harbor of Charleston, be left to the exercise of their sound discretion in negotiating with the United States.

Mr. Cheves offered the following amendment :

*Resolved*, That it is the sense of this Convention that it is not consistent with the dignity of this State that her Commissioners should remain at Washington later than the fifteenth day of January next, unless before that time Fort Sumter and Castle Pinckney shall have been restored to the authorities of this State.

Mr. F. D. Richardson offered the following amendment :

1. *Resolved*, That it is the opinion of this Convention that the garrisoning of Fort Sumter and Castle Pinckney



or the further mounting of guns on either fortification, must be regarded, at this time, as an overt act of hostility.

2. *Resolved*, That the Governor of this State be requested to exercise the utmost vigilance and use every means at his command, to intercept and prevent the garrisoning of said fortresses or mounting of guns thereon.

3. *Resolved*, That the Governor be requested to ascertain, if it be practicable, and report to this Convention whether any and what changes have been recently made in all the fortifications in the harbor of Charleston, and whether the work of fortifying them is still progressing.

On motion, all the amendments proposed were ordered to lie on the table; and the resolution reported by the Committee was agreed to.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made a report and reported an Ordinance to make provisional Postal Arrangements in South Carolina; which was considered immediately; was agreed to; was ordered to be engrossed; and to be signed by the President and the Clerk.

On motion of Mr. Dunkin, the injunction of secrecy was removed, in relation to the action of the Convention, on the Ordinance to make provisional postal arrangements in South Carolina.

Mr. Dunkin presented the following

#### REPORT :

The Committee on Commercial Relations and Postal Arrangements, beg leave to report, that they have considered the various matters referred to them, in relation to the Customs, and the officers charged with the collection of the same, and other officers or agents in any manner connected with the same, and they submit an Ordinance for a provisional arrangement thereof.

The Committee, regarding the Ordinance now submitted as merely provisional, have not deemed it expedient or necessary, at this time, to provide for the contingency, that



an Act of Congress may hereafter be passed, imposing duties on goods, wares and merchandize passing into any of the United States from this State.

### AN ORDINANCE

To provide for the continuance of Commercial facilities in South Carolina :

*We, the People of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,* That all citizens of this State, now holding office, connected with the Customs, under the Government of the United States, within the limits of South Carolina, be and they are hereby appointed to hold, under the Government of this State, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services. *And it is further ordained,* That in case of the resignation of either of them, the Governor is empowered to supply the vacancy ; and such officers are hereby authorized, until otherwise instructed, to collect duties on imports at the rates now existing in the United States of North America ; and they are hereby directed to hold the same, subject to the further action of this body ; saving and excepting, however, that no duties shall be collected upon goods, wares, merchandize, and products imported direct from any of the States forming the late Federal Union, known as the United States of North America.

*And be it further ordained,* That the officers aforesaid shall retain in their hands all property of the United States in their possession, custody and control, subject to the disposal of this State, who will account for the same, upon a final settlement with the Government of the United States.

Mr. Wagner presented the following

### REPORT :

The undersigned, the minority of the Committee on Commercial Relations and Postal Arrangements, feel con-

strained to differ from the views expressed by the majority, and beg leave to recommend for the consideration of the Convention the following Ordinance.

(Signed) THEODORE D. WAGNER.  
JOHN JENKINS.

### AN ORDINANCE

To provide for the continuance of Commercial Relations in South Carolina :

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That until otherwise provided for by the General Assembly, the importation of merchandize into this State shall be free and unrestricted; and it shall be the duty of the Governor to make such temporary regulations as may be requisite concerning the entry and clearance of vessels, and to appoint such officers as may be needed for the purpose; and it shall be the duty of the General Assembly to provide proper compensation for all officers whose appointment is required by this Ordinance.*

On motion of Mr. Pope, the majority and minority Reports, together with the Ordinances recommended, were made the special order of the day for Monday next, at one o'clock, P. M., and were ordered to be printed.

On motion of Mr. Miles, it was

*Ordered, That when the Convention adjourns, it shall be adjourned to meet on Monday next, at twelve o'clock, M.*

On motion of Mr. Miles, the Convention was adjourned.

B. F. ARTHUR,  
*Clerk of the Convention.*

REPORT OF THE COMMITTEE ON FOREIGN  
RELATIONS.

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The Committee on Foreign Relations, to whom was referred certain resolutions touching the appointment of Commissioners, to treat with the United States concerning the property of the latter in South Carolina, and other matters, beg leave respectfully to

## REPORT:

That they have duly considered the subjects submitted to them, and recommend the immediate adoption of the following resolution :

*Resolved*, That three Commissioners, to be elected by ballot of this Convention, be directed forthwith to proceed to Washington, authorized and empowered to treat with the Government of the United States for the delivery of the Forts, Magazines, Light-Houses, and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt, and for a division of all other property, held by the Government of the United States, as agent of the Confederate States, of which South Carolina was recently a member ; and, generally, to negotiate as to all other measures and arrangements proper to be made and adopted, in the existing relation of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington.

All of which is respectfully submitted.

WM. PORCHER MILES, *Chairman*.

MONDAY, DECEMBER 24, 1860. •

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Easley,
Atkinson,	Ellis,
Ayer,	English,
Barron,	Evans,
Barton,	Fair,
Beaty,	Finley,
Bethea,	Flud,
Bellinger,	Forster,
Bobo,	Foster,
Bonmeau,	Frampton,
Brabham,	Furman,
Brown, A. H.	Gadberry,
Brown, C. P.	Garlington,
Burnet,	Geiger,
Cain,	Gist,
Calhoun,	Glover,
Caldwell,	Goodwin,
Campbell,	Gourdin, R. N.
Carn,	Gourdin, T. L.
Carroll,	Gregg, William
Caughman,	Grisham,
Cauthen,	Hammond,
Charles,	Hanckel,
Chesnut,	Harlee,
Cheves,	Harrison,
Clarke,	Hayne,
Conner,	Henderson,
Crawford,	Honour,
Dargan,	Hopkins,
Davis,	Hunter,
De Saussure,	Hutson,
De Treville,	Inglis,
Dunkin,	Ingram,
Dunovant, R. G. M.	Jackson,
Du Pre,	Jefferies,

Jenkins, John	Reed,
Jenkins, J. E.	Rhett,
Johnson,	Richardson, F. D.
Keitt,	Richardson, J. P.
Kershaw,	Robinson,
Kilgore,	Rowell,
Kinard,	Rutledge,
Kinsler,	Scott,
Landrum,	Seabrook, G. W., Sr.
Lawton,	Sessions,
Lewis,	Shingler, W. P.
Logan,	Simpson,
Lyles,	Smyly,
McIver,	Smith,
McKee,	Snowden,
McLeod,	Spain,
Magrath,	Spratt,
Manning,	Springs,
Mauldin,	Sims,
Maxwell,	Thompson, R. A.
Mazyck,	Thomson, Thomas
Means,	Timmons,
Memminger,	Tompkins,
Middleton, J. Izard	Townsend,
Middleton, W.	Wannamaker,
Moore,	Wardlaw, D. L.
Moorman,	Wardlaw, F. H.
Noble,	Watts,
Nowell,	Wier,
O'Hear,	Whitner,
Palmer,	Williams,
Parker,	Wilson, I. D.
Perrin,	Wilson, J. H.
Pope,	Wilson, W. B.
Porcher,	Withers,
Pressley,	Woods,
Quattlebaum,	Young.
Rainey,	

The Journal of yesterday's proceedings was read.

The President announced the following as the Engrossing Committee :

Messrs. T. Y. Simons,  
S. Fair,  
H. McIver.



Mr. Lyles offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Honorable M. S. Perry, Governor of the State of Florida, now in the City of Charleston, be, and he is hereby, invited to a seat on the floor of the Convention.

Mr. De Saussure presented the account of E. R. Stokes, for putting the Baptist Church in Columbia in condition for receiving the Convention ; which, on motion of Mr. Maxey Gregg, was ordered to lie on the table.

Mr. Quattlebaum offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the accounts of the Printers for this Convention be audited by the Comptroller-General, allowing them the rates designated in the Resolution conferring upon them their appointment ; and that the said accounts, when so audited, be paid by the Treasurer of the Lower Division.

*Resolved*, That immediately after the Convention shall have terminated its present session in Charleston, the several Ordinances adopted by it, together with the Journal of its public proceedings, be printed in pamphlet form ; and that five hundred copies be struck off, for the use of the Convention, to be disposed of under the direction of the President.

Mr. Pressley offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee on Accounts, to consist of five members, be appointed by the President.

Mr. Caughman offered the following resolution, which was considered immediately, and was referred to the Committee on Printing :

*Resolved*, That                      copies of the Ordinance of Seces-

sion and the signatures thereto, be photographed for the use of the members of the Convention.

Mr. Magrath offered the following Ordinance, which was considered immediately, and was referred to the Committee on the Constitution of the State, and was ordered to be printed :

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,* That until otherwise provided for by the General Assembly of the State of South Carolina, the Judges of the Courts of Law in this State shall have and take cognizance of all cases of admiralty and maritime jurisdiction. And that the said Judges shall further have jurisdiction of all offences under the laws of the United States relating to the Post-office Department, the Public Customs, Seamen, and offences upon the high seas. That the laws of the United States, which were in operation at the time of the secession of this State, in relation to these several offences, be and are hereby retained as parts of the laws of this State, until otherwise provided for by the General Assembly of the State; saving and excepting therefrom so much as relates to the Courts in which such offences shall be tried. That the said Judges shall have power to appoint such officers under them as may be necessary for the proper discharge of the duties herein provided. And that in such cases as have been tried by a jury, the trial shall be by a jury according to the mode of force in this State in relation thereto. And in cases in the admiralty and maritime jurisdiction, in which the trial by jury has not been established, the forms and modes of proceeding shall be such as have been heretofore in use in Courts within this State, having cognizance of such cases.

On motion of Mr. D. L. Wardlaw, Mr. Magrath was added to the Committee on the Constitution of the State.

On motion of Mr. Rhett, the Convention proceeded to the consideration of the Address of the People of South

Carolina, assembled in Convention, to the People of the Slaveholding States of the United States. .

Mr. Dargan moved that the Address, together with the Declaration of the Causes which justify the secession of South Carolina from the Federal Union, be recommitted to a Special Committee, to be composed of the Committee on the Address, and the Committee on the Declaration; which motion was not agreed to.

### SPECIAL ORDER.

On motion of Mr. Dunkin, the Convention proceeded to the consideration of the Report of the Committee on Commercial Relations and Postal Arrangements, and the Report of the Minority of the same Committee; which had been made the special order of the day for this day, at one o'clock, P. M.

On motion of Mr. Harlee, the special order was discharged for thirty minutes.

The Convention resumed the consideration of the Address to the People of the Slaveholding States.

After some time passed in the consideration thereof, the Address was adopted.

The Convention proceeded to the consideration of the Declaration of the Causes which justify the secession of South Carolina from the Federal Union.

Mr. Gregg moved that the Declaration be ordered to lie on the table; and the question being put, will the Convention agree thereto? it was decided in the negative:

Yeas, 31; nays, 124.

The yeas and nays were demanded, and are as follows:  
Those who voted in the affirmative are:

Messrs. Atkinson,  
Ayer,  
Bonneau,  
Burnet,  
Cain,  
Calhoun,  
Carroll,

Davis,  
De Saussure,  
Du Pre,  
Flud,  
Furman,  
Gist,  
Gourdin, T. L.

Gregg, Maxey  
 Kilgore,  
 Kinsler,  
 Logan,  
 Lyles,  
 Manigault,  
 Maxwell,  
 Mazyek,  
 Noble,

Palmer,  
 Parker,  
 Smith,  
 Snowden,  
 Spain,  
 Timmons,  
 Tompkins,  
 Wilson, J. H.

Those who voted in the negative are :

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	Finley,
Barron,	Forster,
Barton,	Foster,
Beaty,	Frampton,
Bethea,	Gadberry,
Bellinger,	Garlington,
Bobo,	Geiger,
Brabham,	Glover,
Brown, A. H.	Goodwin,
Brown, C. P.	Gourdin, R. N.
Caldwell,	Gregg, William
Campbell,	Grisham,
Carn,	Hammond,
Caughman,	Hanckel,
Cauthen,	Harllee,
Charles,	Harrison,
Chesnut,	Hayne,
Cheves,	Henderson,
Clarke,	Honour,
Conner,	Hopkins,
Crawford,	Hunter,
Curtis,	Hutson,
Dargan,	Inglis,
De Treville,	Ingram,
Duncan,	Jackson,
Dunkin,	Jefferies,
Dunovant, A. Q.	Jenkins, J. E.
Dunovant, R. G. M.	Jenkins, John
Easley,	Johnson,
Ellis,	Keitt,
Evans,	Kershaw,
Fair,	Kinard,

Landrum,	Rowell,
Lawton,	Rutledge,
Lewis,	Scott,
McCrady,	Seabrook, E. M.
McIver,	Seabrook, G. W., Sr.
McKee,	Sessions,
McLeod,	Shingler, J. M.
Magrath,	Simons,
Manning,	Simpson,
Mauldin,	Smyly,
Means,	Springs,
Memminger,	Stokes,
Middleton, J. Izard	Sims,
Middleton, W.	Thompson, R. A.
Miles,	Thomson, Thomas
Moore,	Townsend,
Moorman,	Wagner,
Nowell,	Wannamaker,
O'Hear,	Wardlaw, D. L.
Perrin,	Wardlaw, F. H.
Pope,	Watts,
Porcher,	Wier,
Pressley,	Whitner,
Quattlebaum,	Williams,
Rainey,	Wilson, I. D.
Reed,	Wilson, W. B.
Rhodes,	Withers,
Richardson, F. D.	Woods,
Richardson, J. P.	Young.
Robinson,	

So the motion was not agreed to.

After sundry amendments, the Declaration was adopted, and was committed to the Engrossing Committee.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported "an Ordinance to alter the Constitution of the State of South Carolina, in respect to the Executive Department;" which was ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, reported an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places; which was ordered for consideration to-morrow, and to be printed.



On motion of Mr. E. M. Seabrook, leave of absence for a few days was granted to Mr. Davant, on account of sickness.

On motion of Mr. Cheves, business was suspended at twenty-five minutes past four o'clock, P. M., until seven o'clock, P. M.

### RECESS.

When the President resumed the Chair,

On motion of Mr. Dunkin, an Ordinance to make provisional Postal Arrangements in South Carolina, was committed to the Engrossing Committee.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The Convention proceeded to the consideration of the Report of the Majority and the Report of the Minority, of the Committee on Commercial Relations and Postal Arrangements, in relation to the Customs; and pending the consideration thereof, the Convention was adjourned to meet to-morrow, at eleven o'clock, A. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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TUESDAY, DECEMBER 25, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. John J. Wannamaker. The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,	Furman,
Atkinson,	Gadberry,
Ayer,	Garlington,
Barron,	Geiger,
Barton,	Gist,
Beaty,	Glover,
Bethca,	Goodwin,
Bellinger,	Gourdin, R. N.
Bobo,	Gourdin, T. L.
Bonneau,	Gregg, Maxey
Brabham,	Gregg, William
Brown, A. H.	Grisham,
Brown, C. P.	Hammond,
Burnet,	Hanckel,
Cain,	Harllee,
Calhoun,	Harrison,
Caldwell,	Hayne,
Carr,	Honour,
Carroll,	Hopkins,
Caughman,	Hunter,
Cauthen,	Hutson,
Charles,	Inglis,
Chesnut,	Ingram,
Cheves,	Jackson,
Clarke,	Jefferies,
Conner,	Jenkins, John
Crawford,	Jenkins, J. E.
Curtis,	Johnson,
Dargan,	Kershaw,
Davis,	Kilgore,
De Saussure,	Kinard,
De Treville,	Kinsler,
Duncan,	Landrum,
Dunkin,	Lawton,
Dunovant, A. Q.	Lewis,
Dunovant, R. G. M.	Logan,
Du Pre,	Lyles,
Ellis,	McIver,
Evans,	McKee,
Fair,	McLeod,
Finley,	Manigault,
Flud,	Manning,
Forster,	Mauldin,
Foster,	Maxwell,
Frampton,	Mazyck,

Means,	Simons,
Memminger,	Simpson,
Middleton, J. Izard	Smyly,
Middleton, W.	Smith,
Miles,	Snowden,
Moore,	Spain,
Moorman,	Spratt,
Noble,	Springs,
Nowell,	Stokes,
O'Hear,	Sims,
Palmer,	Thompson, R. A.
Parker,	Thomson, Thomas
Perrin,	Timmons,
Porcher,	Tompkins,
Pressley,	Townsend,
Quattlebaum,	Wagner,
Rainey,	Wannamaker,
Reed,	Wardlaw, D. L.
Rhett,	Wardlaw, F. H.
Rhodes,	Watts,
Richardson, F. D.	Wier,
Richardson, J. P.	Whitner,
Robinson,	Williams,
Rowell,	Wilson, I. D.
Rutledge,	Wilson, J. H.
Scott,	Wilson, W. B.
Seabrook, E. M.	Withers,
Seabrook, G. W., Sr.,	Woods,
Sessions,	Young.
Shingler, J. M.	

The Journal of yesterday's proceedings was read.

Mr. Withers presented the report of the Committee on Relations with the Slaveholding States of North America, on the various resolutions referred to them; which, on motion of Mr. Smith, was made the special order of the day for to-morrow, at one o'clock, P. M., and was ordered to be printed.

On motion of Mr. F. H. Wardlaw, leave of absence from and after to-morrow, until Monday next, was granted to Mr. William Gregg, on account of important business.

The President presented to the Convention the following communication, which was ordered to be entered on the Journal and to be printed :

CHARLESTON, December 24, 1860

*To the President and Delegates of the Convention**of the Independent State of South Carolina:*

GENTLEMEN: I have this moment been informed that you did me the honor, by Resolution, to invite me to a seat on the floor of the Convention. I am wanting in language, gentlemen, adequately to express the feelings this very unexpected courtesy at your hands has given rise to. In the whole course of life, now nearing half a century—a life not entirely devoid of incidents calculated to inspire a laudable manly pride—I have never felt so honored as in being privileged to a seat among those who, smarting under wrongs inflicted by the hands of a perverted government, have, with an unanimity and firmness unparalleled, broken the link of union with faithless confederates, and are engaged in the high, laudable, (may I not say) holy purpose of improvising a government which shall “confer the greatest liberty consistent with the rights, liberty and happiness of the governed.” I may say to *you*, without subjecting myself to the charge of treason, that I approve of every act of your Convention, in so far as known to me, in every particular. Your Ordinance is in good taste, to the point, and covers the whole ground.

Permit me to assure you, gentlemen, that gallant little Florida will be the next to follow your wise and patriotic lead. Upon the meeting of the Convention, Florida will, as certainly as anything in the future can be certain, wheel immediately into line with the gallant old Palmetto. We are identified with you in interest, in feeling, in determination not to submit to Black Republican rule, and a common destiny must be ours.

I regret exceedingly that urgent official duties, which I may not, in prudence, postpone, will deprive me of the pleasure of availing myself of your kindly courtesy.

With a tender of my sincere thanks, for the honor conferred, I am, gentlemen,

Very respectfully,

Your obedient servant,

M. S. PERRY.

The President announced the following Committee on Accounts:

Messrs. T. Thomson,  
R. T. Allison,  
D. R. Barton,  
J. J. Brabham,  
A. J. Hammond.

Mr. De Saussure presented the account of P. B. Glass, for stationery furnished to the Convention during its session in Columbia; which was referred to the Committee on Accounts.

On motion of Mr. De Saussure, the account of E. R. Stokes was taken up, and was referred to the Committee on Accounts.

Mr. Perrin offered the following resolution, which, on motion of Mr. Rhett, was ordered to lie on the table:

*Resolved*, That this Convention take a recess from and after four o'clock, Wednesday, the 26th inst., until twelve o'clock, m., Wednesday, the 16th day of January next, unless called together at an earlier day by the President.

Mr. Manigault offered the following resolution, which, on motion of Mr. Manigault, was ordered to lie on the table for the present:

*Resolved*, That this Convention hereby instruct the Governor to make, forthwith, all the preparations which may be needed for asserting, by force, the rights and jurisdiction of South Carolina within its territories.

On motion of Mr. Simons, it was

*Ordered*, That the Engrossing Committee be authorized to employ two Clerks.

Mr. Finley offered the following Resolution, which was considered immediately, and was agreed to:



*Resolved*, That copies of the "Ordinance of Secession," adopted by this Convention, and of the "Declaration of the immediate causes which induce and justify the Secession of South Carolina from the Federal Union," and of "The Address of the People of South Carolina assembled in Convention to the People of the Slaveholding States of the United States," be transmitted by the Governor of this State to the Governors of the Slaveholding States of the United States, for the information of their respective Legislatures or Conventions, where Conventions of the People have been called in any of the said Slaveholding States.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The Convention resumed the consideration of the Report of the Majority, and the Report of the Minority of the Committee on Commercial Relations and Postal Arrangements, in regard to the Customs.

Mr. Maxey Gregg moved that the Ordinance reported by the minority of the Committee be adopted, and the question being put, will the Convention agree thereto? it passed in the negative:

Yeas, 16; nays, 121.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Brown, C. P.	Pressley,
Burnet,	Richardson, F. D.
Du Pre,	Scott,
Gregg, Maxey	Seabrook, G. W., Sr.
Jenkins, John	Snowden,
Kinsler,	Spain,
Manigault,	Spratt,
Mazyck,	Wagner,

Those who voted in the negative are:

Hon. D. F. JAMISON, *President*, and

Messrs. Allison,	Ayer,
Appleby,	Barron,
Atkinson,	Barton,

Beaty,  
Bethlea,  
Bobo,  
Brabham,  
Calhoun,  
Caldwell,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Canthen,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Curtis,  
Dargan,  
Davis,  
De Saussure,  
De Treville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
Ellis,  
Evans,  
Finley,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Grisham,  
Hammond,  
Hanckel,  
Harllee,

Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Johnson,  
Kershaw,  
Kinard,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Mauldin,  
Means,  
Memminger,  
Middleton, John Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,

Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Springs,  
Stokes,  
Thomson, Thomas  
Timmons,

Tompkins,  
Townsend,  
Wardlaw, D. L.  
Watts,  
Wier,  
Whitner,  
Williams,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

So the motion was not agreed to.

Mr. Mazyek offered the following amendment :

“ Provided that such imports shall be the products of the said States.”

Mr. Memminger moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the negative :

Yeas, 65 ; nays, 79.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President*; and

Messrs. Barron,

Beaty,

Bethea,

Bobo,

Brabham,

Calhoun,

Carroll,

Caughman,

Cauthen,

Charles,

Chesnut,

Conner,

Crawford,

Curtis,

De Saussure,

Duncan,

Dunkin,

Dunovant, R. G. M.

Ellis,

Evans,

Foster,

Garlington,

Geiger,

Gourdin, R. N.

Grisham,

Hammond,

Hanckel,

Harrison,

Hayne,

Hunter,

Ingram,

Jefferies,

Kershaw,

Landrum,

Lewis,

McCrady,

Magrath,	Smyly,
Manning,	Smith,
Mauldin,	Springs,
Means,	Thomson, Thomas
Memminger,	Tompkins,
Nowell,	Townsend,
Perrin,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Reed,	Watts,
Richardson, J. P.	Whitner,
Robinson,	Wilson, I. D.
Rutledge,	Wilson, J. H.
Sessions,	Wilson, W. B.
Simons,	Withers.

Those who voted in the negative are :

Messrs. Allison,	Honour,
Appleby,	Hopkins,
Atkinson,	Hutson,
Ayer,	Inglis,
Barton,	Jackson,
Bellinger,	Jenkins, John
Brown, C. P.	Johnson,
Burnet,	Keitt,
Caldwell,	Kilgore,
Campbell,	Kinard,
Carn,	Kinsler,
Cheves,	Lawton,
Clarke,	Logan,
Dargan,	Lyles,
Davis,	McIver,
De Treville,	McKee,
Du Pre,	McLeod,
Fair,	Manigault,
Finley,	Maxwell,
Flud,	Mazyck,
Forster,	Middleton, J. Izard
Furman,	Middleton, W.
Gist,	Miles,
Glover,	Moore,
Goodwin,	Moorman,
Gourdin, T. L.	Noble,
Gregg, Maxey	O'Hear,
Harllee,	Palmer,

Parker,	Simpson,
Porcher,	Snowden,
Pressley,	Spain,
Rainey,	Spratt,
Rhodes,	Stokes,
Richardson, F. D.	Timmons,
Rowell,	Wagner,
Scott,	Wier,
Seabrook, E. M.	Williams,
Seabrook, G. W., Sr.	Woods,
Shingler, J. M.	Young.
Shingler, W. P.	

So the motion was not agreed to.

Mr. Rutledge offered the following amendment:

We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that all citizens of this State who, at the date of the Ordinance of Secession, were holding office connected with the Customs, under the Government of the United States, within the limits of South Carolina, be, and they are hereby, appointed to hold under the Government of this State, exclusive of any further connection whatever with the Federal Government of the United States, the same offices they now fill until otherwise directed, and to receive the same pay and emoluments for their services.

That until this Convention, or the General Assembly, shall otherwise provide, the Governor shall appoint to all vacancies which may occur in such offices.

That until otherwise provided by this Convention, or the General Assembly, the Revenue, Collection and Navigation Laws of the United States, so far as they may be applicable, be, and they are hereby, adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late Federal Union, known as the United States of America, nor upon the tonnage of vessels owned in whole or in part by the citizens of the said States; and saving and excepting the



Act of Congress adopted the third day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the consuls of their respective nations;" which said Act is hereby declared to be of no force within the limits of this State.

That all moneys hereafter collected by any of the officers aforesaid shall, after deducting the sums necessary for the compensation of officers and other expenses, be paid into the Treasury of the State of South Carolina, for the use of the said State, subject to the order of this Convention, or the General Assembly.

That the officers aforesaid shall retain in their hands all property of the United States in their possession, custody or control, subject to the disposal of this State, who will account for the same upon a final settlement with the Government of the United States.

On motion of Mr. Cheves, it was

*Resolved*, That fifteen thousand copies be printed of the Address to the Southern States, the Declaration of Causes, and the Report of the Committee on the Address of Members of the General Assembly of Georgia.

On motion of Mr. Memminger, the Convention was adjourned at thirty minutes past ten o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, DECEMBER 26, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. H. Honour.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Flud,
Appleby,	Forster,
Atkinson,	Foster,
Barron,	Frampton,
Barton,	Furman,
Beaty,	Gadberry,
Bethica,	Garlington,
Bellinger,	Geiger,
Bobo,	Gist,
Bonneau,	Glover,
Brabham,	Goodwin,
Brown, A. H.	Gourdin, R. N.
Brown, C. P.	Gourdin, T. L.
Burnet,	Gregg, Maxey
Cain,	Grisham,
Calhoun,	Hammond,
Caldwell,	Hanckel,
Campbell,	Harlee,
Carn,	Harrison,
Carroll,	Hayne,
Caughman,	Henderson,
Cauthen,	Honour,
Charles,	Hopkins,
Chesnut,	Hunter,
Cheves,	Hutson,
Clarke,	Inglis,
Conner,	Ingram,
Crawford,	Jackson,
Curtis,	Jefferies,
Dargan,	Jenkins, John
Davis,	Jenkins, J. E.
De Treville,	Johnson,
Dozier,	Kershaw,
Duncan,	Kilgore,
Dunkin,	Kinard,
Dunovant, R. G. M.	Kinsler,
Du Pre,	Landrum,
Easley,	Lawton,
Ellis,	Lewis,
Evans,	Logan,
Fair,	Lyles,
Finley,	McCrady,

McIver,	Seabrook, E. M.
McKee,	Seabrook, G. W., Sr.
McLeod,	Sessions,
Magrath,	Shingler, J. M.
Mauldin,	Shingler, W. P.
Maxwell,	Simons,
Mayes,	Simpson,
Mazyck,	Smyly,
Means,	Smith,
Memminger,	Snowden,
Middleton, J. Izard	Spain,
Middleton, W.	Spratt,
Miles,	Springs,
Moore,	Stokes,
Moorman,	Thompson, R. A.
Noble,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Palmer,	Townsend,
Parker,	Wagner,
Perrin,	Wanamaker,
Porcher,	Wardlaw, D. L.
Pressley,	Wardlaw, F. H.
Quattlebaum,	Watts,
Rainey,	Wier,
Reed,	Whitner,
Rhett,	Williams,
Rhodes,	Wilson, I. D.
Richardson, F. D.	Wilson, J. H.
Richardson, J. P.	Wilson, W. B.
Robinson,	Withers,
Rowell,	Woods,
Rutledge,	Young.
Scott,	

The Journal of yesterday's proceedings was read.

Mr. Spain offered the following resolution, which, on motion of Mr. Inglis, was ordered to lie on the table :

*Resolved*, That the Governor be requested to communicate to this Convention, in secret session, any information he may possess in reference to the condition of Forts Moultrie and Sumter, and Castle Pinckney ; the number of guns mounted and ready for service in each ; the number

of workmen employed in each, and in what kind of labor; the number of soldiers, sailors and marines in each, and what addition (if any) has been made thereto since the 20th inst.

Also, whether he has any assurance that said forts and castle shall not be reinforced; and if so, from what source these assurances emanated, and what limit as to time and circumstance is attached thereto.

Also, what police or other regulations (if any) he has made in relation to the harbor of Charleston and the coast of the State.

Mr. Gist offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That Hon. J. W. Garrott, a Commissioner from the State of Alabama to the State of North Carolina, be invited to a seat on the floor of the Convention.

On motion of Mr. McIver, leave of absence, on and after this day, until and inclusive of Monday next, was granted to Mr. Inglis, on account of important business.

Mr. A. H. Brown offered the following resolution, which was referred to the Committee on the Constitution of the State, and was ordered to be printed:

*Resolved*, That all citizens of the United States, domiciled within this State at the adoption of the Ordinance of Secession, to wit: the 20th December, 1860, be, and the same are hereby, declared citizens of South Carolina, entitled to all the privileges and subject to all the liabilities incident thereto.

On motion of Mr. Fair, leave of absence from and after this day, until Wednesday next, was granted to Mr. Williams, on account of sickness in his family.

Mr. Kinard offered the following resolution, which, on motion of Mr. Lyles, was ordered to lie on the table:

*Resolved*, That this Convention take a recess from and after four o'clock, Friday, the 25th inst., until two o'clock, P. M., Friday, the 18th day of January next, unless called together at an earlier day by the President.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of

An Ordinance to amend the Constitution of the State of South Carolina in respect to the Executive Department, (reported by the Committee on the Constitution of the State;) and,

An Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places, (reported by the Committee on the Constitution of the State:)

And, on motion of Mr. D. L. Wardlaw, the Ordinances were made the special order of the day for this day, to be taken up as soon as the business now under consideration should have been disposed of.

Mr. Rhett presented the following Ordinance, which, on motion of Mr. Rhett, was made the special order of the day for this day, at one o'clock, P. M., in connection with the Report of the Committee on Relations with the Slaveholding States of North America; and was ordered to be printed:

#### AN ORDINANCE

Recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of a Southern Confederacy.

*Be it ordained*, That this Convention recommends to the Slaveholding States which shall secede from the Union of the United States, and to all other Slaveholding States, prepared to unite with South Carolina in the formation of a Southern Confederacy, to hold a Convention at Montgomery, in the State of Alabama, on the thirteenth day of February next, to agree on the terms of said Confederacy.



And be it further ordained, That it be recommended to the said States to appoint, by their respective Conventions or Legislatures, as many delegates to said Convention, to represent them therein, as they have had, or may have, members in the present Congress of the United States; and that, in the said Convention, the said delegates, in forming the said Constitution, shall vote by States.

And be it further ordained, That it be recommended to the said States, that after the terms of said Constitution shall be agreed on, in said Convention, the same shall be submitted, at as early a day as practicable, to the Conventions or Legislatures respectively, which have appointed the said delegates, in order that the said Constitution may be considered and be ratified or rejected by said States.

And be it further ordained, That in the opinion of this Convention, the Constitution of the United States should constitute the basis of the Confederation of such States as shall withdraw their connection with the Government of the United States.

And be it further ordained, That this Convention shall appoint by ballot eight delegates to represent the State of South Carolina in the Convention proposed, to form the Constitution of the Southern Confederacy, and one Commissioner to each State, which shall call a Convention of her people together, in order that the policy contained in the above Ordinances, may be pressed on the consideration of said Conventions.

On motion of Mr. Dunkin, the Convention went into

#### SECRET SESSION.

The Convention resumed the consideration of the Report of the Majority and the Report of the Minority of the Committee on Commercial Relations and Postal Arrangements, together with the various amendments proposed thereto:

. The question being put, will the Convention *agree* to the

amendment offered by Mr. Mazyek? it passed in the negative:

Yeas, 46; nays, 106.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Allison,	Logan,
Bellinger,	McIver,
Bonneau,	McKee,
Brown, C. P.	Manigault,
Caldwell,	Mazyek,
Campbell,	Middleton, J. Izard
Carr,	Middleton, W.
Clarke,	Miles,
Davis,	Moore,
Du Pre,	Moorman,
Fair,	Palmer,
Finley,	Porcher,
Flud,	Pressley,
Forster,	Scott,
Gist,	Seabrook, G. W.
Gourdin, T. L.	Shingler, J. M.
Gregg, Maxey	Shingler, W. P.
Harlee,	Snowden,
Henderson,	Spain,
Jackson,	Spratt,
Jenkins, John	Williams,
Kinsler,	Woods,
Lawton,	Young.

Those who voted in the negative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Appleby,	Calhoun,
Atkinson,	Carroll,
Ayer,	Caughman,
Barron,	Cauthen,
Barton,	Charles,
Beaty,	Chesnut,
Bethea,	Cheves,
Bobo,	Conner,
Brabham,	Crawford,
Brown, A. H.	Curtis,
Burnet,	Dargan,
Cain,	De Saussure,

De Treville,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
Easley,  
Ellis,  
Evans,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Grisham,  
Hammond,  
Hanckel,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Ingram,  
Jefferies,  
Jenkins, J. E.  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Lyles,  
McCrady,  
McLeod,  
Magrath,  
Manning,  
Maxwell,  
Mayes,

Means,  
Memminger,  
Noble,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rowell,  
Rutledge,  
Seabrook, E. M.  
Sessions,  
Simons,  
Simpson,  
Smyly,  
Smith,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Whitner,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers.

So the motion was not agreed to.

Mr. Johnson asked to record the vote he would have

given, if present, on agreeing to the amendment; and Mr. Johnson being called, answered "No."

Mr. Hutson offered the following amendment, which was agreed to :

"That all vessels built in South Carolina or elsewhere, and owned to the amount of one-third by a citizen or citizens of South Carolina, or of any of the slaveholding commonwealths of North America, and commanded by a citizen thereof, and no other, shall be registered as vessels of South Carolina, under the authority of the Collector and Naval Officer."

Mr. F. D. Richardson offered the following amendment, which was agreed to :

"That all the official acts of the officers aforesaid, in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of South Carolina."

Mr. Maxey Gregg offered the following amendment :

"But no duty shall exceed twenty per cent. on the value of the goods imported."

Mr.            moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto? it passed in the affirmative :

Yeas, 110; nays, 34.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Atkinson,	Caldwell,
Ayer,	Campbell,
Barron,	Carn,
Barton,	Carroll,
Beaty,	Caughman,
Bethea,	Cauthen,
Bobo,	Charles,
Brabham,	Chesnut,
Brown, A. H.	Cheves,
Cain,	Clarke,
Calhoun,	Conner,

Crawford,  
Curtis,  
Dargan,  
Davant,  
Davis,  
De Saussure,  
De Treville,  
Dunkin,  
Dunovant, R. G. M.  
Easley,  
Evans,  
Finley,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Ingram,  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lawton,  
Logan,  
McCrady,  
McLeod,  
Magrath,

Manning,  
Maxwell,  
Means,  
Memminger,  
Miles,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Sessions,  
Simons,  
Simpson,  
Smyly,  
Smith,  
Springs,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Whitner,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Young.



Those who voted in the negative are :

Messrs. Allison,	McKee,
Bellinger,	Manigault,
Bonneau,	Mazyck,
Brown, C. P.	Middleton, J. Izard
Burnet,	Middleton, W.
Du Pre,	Moore,
Ellis,	Palmer,
Fair,	Pressley,
Flud,	Richardson, F. D.
Forster,	Seabrook, G. W.
Gist,	Shingler, W. P.
Gregg, Maxey	Snowden,
Henderson,	Spain,
Jenkins, John	Spratt,
Jenkins, J. E.	Stokes,
Kinsler,	Wagner,
McIver,	Woods.

So the motion was agreed to.

Mr. Maxey Gregg offered the following amendment :

“But the value of all articles subject to duty, shall be computed as it was, at the place whence, and the time when, they were exported ; and the Revenue Laws of the late Government of the United States, are modified in their application accordingly.”

Mr.            moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the affirmative :

Yeas, 117 ; nays, 31.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Allison,	Bobo,
Appleby,	Brabham,
Atkinson,	Brown, A. H.
Ayer,	Burnet,
Barron,	Cain,
Barton,	Caldwell,
Beaty,	Campbell,
Bethea,	Carroll,

Caughman,  
Cauthen,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Curtis,  
Dargan,  
Davant,  
Davis,  
De Saussure,  
De Treville,  
Duncan,  
Dunkin,  
Dunovant, R. G. M.  
Easley,  
Ellis,  
Evans,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kershaw,

Kilgore,  
Kinard,  
Landrum,  
Lawton,  
Lewis,  
Lyles,  
McCrady,  
McLeod,  
Magrath,  
Manning,  
Mayes,  
Means,  
Memminger,  
Miles,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Porcher,  
Quattlebaum,  
Raine, y,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Simpson,  
Smyly,  
Smith,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,

Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,

Whitner,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Young.

Those who voted in the negative are :

Messrs. Bonneau,  
Brown, C. P.  
Du Pre,  
Fair,  
Forster,  
Gist,  
Gregg, Maxcy  
Henderson,  
Jenkins, John  
Jenkins, J. E.  
Kinsler,  
Logan,  
McIver,  
McKee,  
Manigault,  
Maxwell,

Mazyck,  
Middleton, J. Izard  
Middleton, W.  
Moore,  
Palmer,  
Pressley,  
Richardson, F. D.  
Seabrook, G. W.  
Shingler, W. P.  
Snowden,  
Spain,  
Spratt,  
Wagner,  
Williams,  
Woods.

So the motion was agreed to.

Mr. Carroll offered the following amendment :

Whereas, it is due to our late confederates in the political Union, known as the United States of America, as also to the citizens of South Carolina engaged in commerce, that no abrupt or sudden change be made in the rate of duties upon imports into this State ; and, whereas, it is not desired by this State to secure any advantage in trade to her own ports, above those of any of the slaveholding States, her late confederates in the said Union ; and, whereas, this Ordinance, for the considerations indicated, is designed to be provisional merely : Be it, therefore, further ordained, that this Ordinance shall continue of force until the fifteenth day of February next, and no longer.

On motion of Mr. Withers, the *preamble* of the amendment offered by Mr. Carroll was agreed to.

Mr. Reed moved that all after the ordaining words of the amendment offered by Mr. Carroll, be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the affirmative :

Yeas, 90 ; nays, 61.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Messrs. Allison,	Goodwin,
Appleby,	Gourdin, R. N.
Atkinson,	Grisham,
Barron,	Hanckel,
Barton,	Harrison,
Beaty,	Henderson,
Bethea,	Hunter,
Bobo,	Hutson,
Brown, A. H.	Ingram,
Calhoun,	Jackson,
Caldwell,	Jefferies,
Carn,	Johnson,
Caughman,	Kershaw,
Cauthen,	Kinard,
Charles,	Landrum,
Conner,	Lawton,
Crawford,	Lewis,
Curtis,	McCrary,
Davant,	Means,
De Saussure,	Middleton, J. Izard
Duncan,	Miles,
Dunkin,	Moorman,
Dunovant, R. G. M.	Noble,
Du Pre,	Parker,
Easley,	Perrin,
Ellis,	Quattlebaum,
Evans,	Rainey,
Fair,	Reed,
Finley,	Richardson, J. P.
Foster,	Robinson,
Frampton,	Rowell,
Furman,	Rutledge,
Gadberry,	Seabrook, E. M.
Garlington,	Seabrook, G. W.
Geiger,	Sessions,
Glover,	Shingler, W. P.

Simpson,  
 Smyly,  
 Smith,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Wannamaker,

Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Whitner,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Young.

Those who voted in the negative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Ayer,  
 Bellinger,  
 Brabham,  
 Brown, C. P.  
 Burnet,  
 Cain,  
 Campbell,  
 Carroll,  
 Chesnut,  
 Cheves,  
 Clarke,  
 Dargan,  
 Davis,  
 De Treville,  
 Flud,  
 Gist,  
 Gourdin, T. L.  
 Gregg, Maxey  
 Hammond,  
 Harllee,  
 Hayne,  
 Honour,  
 Hopkins,  
 Jenkins, John  
 Jenkins, J. E.  
 Keitt,  
 Kilgore,  
 Kinsler,  
 Logan,  
 Lyles,

McIver,  
 McKee,  
 McLeod,  
 Magrath,  
 Manigault,  
 Maxwell,  
 Mayes,  
 Mazyck,  
 Memminger.  
 Middleton, W.  
 Moore,  
 Nowell,  
 O'Hear,  
 Porcher,  
 Pressley,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Scott,  
 Shingler, J. M.  
 Simons,  
 Snowden,  
 Spain,  
 Spratt,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Williams,  
 Withers,  
 Woods.

So the motion was agreed to.



Mr. D. L. Wardlaw moved that the amendment offered by Mr. Rutledge, be adopted; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 120: nays, 29.

The yeas and nays were demanded and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	Finley,
Atkinson,	Foster,
Barron,	Frampton,
Barton,	Furman,
Beaty,	Gadberry,
Bethea,	Garlington,
Bellinger,	Geiger,
Bobo,	Gist,
Brown, A. H.	Glover,
Burnet,	Goodwin,
Cain,	Gourdin, R. N.
Calhoun,	Grisham,
Caldwell,	Hammond,
Campbell,	Hanckel,
Carn,	Harrison,
Caughman,	Hayne,
Cauthen,	Henderson,
Charles,	Honour,
Chesnut,	Hopkins,
Cheves,	Hunter,
Clarke,	Hutson,
Conner,	Ingram,
Crawford,	Jackson,
Curtis,	Jefferies,
Dargan,	Johnson,
Davant,	Keitt,
Davis,	Kershaw,
De Saussure,	Kilgore,
De Treville,	Kinard,
Duncan,	Landrum,
Dunkin,	Lawton,
Dunovant, R. G. M.	Lewis,
Easley,	Lyles,
Ellis,	McCrady,
Evaus,	McLeod,

Magrath,  
 Maxwell,  
 Mayes,  
 Means,  
 Memminger,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,  
 Parker,  
 Perrin,  
 Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Rowell,  
 Rutledge,  
 Seabrook, E. M.

Sessions,  
 Simons,  
 Simpson,  
 Smyly,  
 Smith,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Whitner,  
 Williams,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods.

Those who voted in the negative are :

Messrs. Appleby,  
 Ayer,  
 Brabham,  
 Brown, C. P.  
 Carroll,  
 Du Pre,  
 Fair,  
 Flud,  
 Gourdin, T. L.  
 Gregg, Maxey  
 Harllee,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinsler,  
 Logan,

McIver,  
 McKee,  
 Manigault,  
 Mazyck,  
 Moore,  
 Pressley,  
 Scott,  
 Seabrook, G. W.  
 Shingler, J. M.  
 Shingler, W. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Wagner.

So the motion was agreed to.

On motion of Mr. Memminger, the Ordinance was committed to the Engrossing Committee, and was ordered to be made public.

On motion of Mr. Memminger, the Convention was adjourned.

B. F. ARTHUR,  
*Clerk of the Convention.*

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THURSDAY, DECEMBER 27, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. D. P. Robinson.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Davaut,
Appleby,	Davis,
Atkinson,	De Treville,
Barron,	Duncan,
Barton,	Dunkin,
Beaty,	Easley,
Bellinger,	Ellis,
Bobo,	English,
Bonneau,	Evans,
Brown, A. H.	Fair,
Burnet,	Flud,
Calhoun,	Foster,
Caldwell,	Frampton,
Campbell,	Furman,
Carn,	Gadberry,
Caughman,	Garlington,
Cauthen,	Geiger,
Charles,	Gist,
Chesnut,	Glover,
Cheves,	Goodwin,
Clarke,	Gourdin, R. N.
Crawford,	Gourdin, T. L.
Dargan,	Gregg, Maxey

Grisham,  
 Hammond,  
 Hancock,  
 Harlee,  
 Harrison,  
 Hayne,  
 Henderson,  
 Honour,  
 Hopkins,  
 Hunter,  
 Hutson,  
 Jackson,  
 Jefferies,  
 Jenkins, John  
 Jenkins, J. E.  
 Johnson,  
 Kershaw,  
 Kilgore,  
 Kinard,  
 Kinsler,  
 Landrum,  
 Lawton,  
 Lewis,  
 Logan,  
 Lyles,  
 McIver,  
 McKee,  
 McLeod,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Means,  
 Memminger,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 Nowell,  
 O'Hear,

Palmer,  
 Parker,  
 Perrin,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Smyly,  
 Smith,  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The Journal of yesterday's proceedings was read.  
 Whereupon, the Convention went into

## SECRET SESSION.

Mr. De Treville offered the following resolution, which was ordered to lie on the table :

*Resolved*, That the Governor of the State be, and he is hereby authorized and requested to take immediate possession of Fort Moultrie and Castle Pinckney, and to make the necessary preparation for the recapture or destruction of Fort Sumter.

On motion of Mr. F. H. Wardlaw, it was

*Resolved*, That his Excellency the Governor be invited to attend the secret sessions of the Convention.

On motion of Mr. Hayne, it was

*Ordered*, That a Committee of three be appointed to wait upon his Excellency the Governor, and inform him of the invitation.

Whereupon, the President appointed Messrs. Hayne, Means and Rutledge, of the Committee.

Mr. Maxey Gregg asked and obtained leave to read a communication from Hon. L. T. Wigfall.

His Excellency the Governor attended and addressed the Convention.

On motion of Mr. De Treville, it was

*Resolved*, That the Governor be requested and authorized to take possession, forthwith, of the Telegraph Office in this city, and prevent all communication between the city and Fort Sumter.

Mr. R. N. Gourdin asked and obtained leave to read a communication from Major Anderson, Commandant at Fort Sumter ; and,



On motion of Mr. Memminger, Mr. R. N. Gourdin was appointed a Committee to transmit the communication to his Excellency the Governor.

Mr. Cheves offered the following resolution, which, on motion of Mr. Memminger, was ordered to lie on the table :

*Resolved*, That it is the sense of this Convention that the occupation of Fort Sumter ought at once to be regarded as an authorized occupation, and vigorous military defences provided immediately.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report, and reported :

An Ordinance concerning Judicial powers ; and

An Ordinance concerning powers lately vested in the Congress of the United States ;

Which, on motion of Mr. D. L. Wardlaw, were made the special order of the day for to-morrow, at twelve o'clock, m., and were ordered to be printed.

### SPECIAL ORDER.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department, which had been made the special order of the day, for this day.

Mr. Maxey Gregg offered the following amendment, which, on motion of Mr. Memminger, was ordered to lie on the table :

“He may, in like manner, remove the officers whose appointment is vested in him ; but such removal shall be subject to the consent of the Senate ; and if made during a recess, and afterwards disapproved of, the officer shall be restored to office.”

Mr. Spratt offered the following amendment, which was ordered to lie on the table :

“Provided that all the officers so appointed, other than Ambassadors, Ministers, Consuls and Agents, hold their offices during good behavior.”

Mr. A. H. Brown offered the following amendment :

That the Governor shall immediately appoint four persons, with the advice and consent of this Convention during its existence, who, together with the Lieutenant-Governor, shall form a Council, to be called the Executive Council, whose duty it shall be, when required by the Governor, to advise with him upon all matters which may be submitted to their consideration ; and that a record of such consultations shall be kept ; and that on and after the dissolution of this Convention, the said appointments shall, from time to time, be made by, and with the consent of, the Senate : provided, nevertheless, that the Governor shall, in all cases, decide upon his own action.

Mr. Brown withdrew his amendment.

Mr. Chesnut offered the following amendment :

That the Governor, with the advice and consent of this Convention, until it shall be dissolved, and after its dissolution, with the advice and consent of the Senate, shall appoint a Cabinet, consisting of Secretaries of State, of War, Navy, Treasury, and the Attorney-General.

Mr. Chesnut withdrew his amendment.

Mr. De Treville moved to amend the last clause of the Ordinance, so as to read “that four persons *shall be immediately elected by this Convention*, who, together with the Lieutenant-Governor, shall form a Council, to be called the Executive Council, whose duty it shall be, when required by the Governor, to advise with him upon all matters which may be submitted to their consideration ; and that a record of such consultations shall be kept : provided, nevertheless, that the Governor shall, in all cases, decide upon his own action.

On motion of Mr. D. L. Wardlaw, the amendment was ordered to lie on the table.

The Ordinance was adopted; was ordered to be engrossed, and to be signed by the President and the Clerk.

### SPECIAL ORDER.

On motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places, which had been made the special order of the day, for this day.

The Ordinance was agreed to; was ordered to be engrossed, and to be signed by the President and the Clerk.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made a report; and reported,

An Ordinance to define and punish treason; and

An Ordinance concerning citizenship; which, on motion of Mr. D. L. Wardlaw, were made the special order of the day for to-morrow, at one o'clock, P. M., and were ordered to be printed.

Mr. Williams Middleton offered the following resolution:

*Resolved*, That his Excellency the Governor be authorized to accept, in his discretion, the services of volunteers from the State of Georgia, or elsewhere, who may tender the same.

Mr. Glover offered the following amendment:

*Resolved*, That the Governor, at his discretion, may receive aid and assistance to this State, and volunteers from abroad; looking carefully to the exigency of circumstances and avoiding unnecessary expense: and that the Governor be authorized and requested to present the thanks of this Convention to such volunteers as may offer their services.

Mr. John Izard Middleton offered the following amendment:

That the Governor be requested to adopt measures immediately to prevent any reinforcements from being introduced into any one of the forts of Charleston harbor, and that he cause batteries to be erected on Sullivan's Island, Morris' Island and James' Island, in order to prevent the entrance of any vessel of war belonging to the late Government of the United States; and further, that he be required to take possession of Castle Pinckney and Fort Johnson.

Mr. Cheves offered the following amendment:

*Resolved*, That it is the sense of this Convention that it would be unwise to presume the supposed occupation of Fort Sumter to be an unfounded rumor, or an act unauthorized by the Federal Government; and that prudence demands that immediate vigorous military measures should be taken by the Governor in accordance with these views, until they are modified by further information.

On motion of Mr. D. L. Wardlaw, all the amendments proposed were ordered to lie on the table; and the resolution offered by Mr. Glover was agreed to.

Mr. Memminger offered the following resolution:

*Resolved*, That in the opinion of this Convention, it is advisable that any volunteers, who may arrive in Charleston from our sister States, be united by the Governor with our own troops in any movements which he may deem advisable for taking possession of Sullivan's Island.

Mr. Memminger withdrew his resolution.

On motion of Mr. D. L. Wardlaw, the Convention was adjourned at half-past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## FRIDAY, DECEMBER 28, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. B. F. Mauldin.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Ellis,
Appleby,	English,
Atkinson,	Evans,
Barron,	Fair,
Barton,	Finley,
Beaty,	Flud,
Bethea,	Foster,
Bellinger,	Frampton,
Bobo,	Furnian,
Bonneau,	Gadberry,
Brabham,	Garlington,
Brown, A. H.	Geiger,
Brown, C. P.	Glover,
Calhoun,	Goodwin,
Caldwell,	Gourdin, R. N.
Campbell,	Gourdin, T. L.
Carn,	Gregg, Maxey
Carroll,	Grisham,
Caughman,	Hammond,
Cauthen,	Hanckel,
Charles,	Harlee,
Chesnut,	Harrison,
Cheves,	Hayne,
Clarke,	Henderson,
Crawford,	Honour,
Curtis,	Hopkins,
Dargan,	Hunter,
Davant,	Hutson,
Davis,	Jackson,
Duncan,	Jefferies,
Dunkin,	Jenkins, John
Dunovant, R. G. M.	Jenkins, J. E.
Du Pre,	Johnson,
Easley,	Keitt,



Kershaw,	Rhett,
Kilgore,	Rhodes,
Kinard,	Richardson, F. D.
Kinsler,	Richardson, J. P.
Landrum,	Robinson,
Lawton,	Rowell,
Lewis,	Rutledge,
Logan,	Scott,
Lyles,	Seabrook, G. W., Sr.
McIver,	Sessions,
McKee,	Shingler, W. P.
McLeod,	Simons,
Magrath,	Simpson,
Mauldin,	Smith,
Maxwell,	Snowden,
Mayes,	Spain,
Mazyck,	Springs,
Means,	Stokes,
Memminger,	Thompson, R. A.
Middleton, J. Izard	Thomson, Thomas
Middleton, W.	Timmons,
Moore,	Tompkins,
Moorman,	Wagner,
Noble,	Wannamaker,
Nowell,	Wardlaw, D. L.
O'Hear,	Watts,
Parker,	Wier,
Perrin,	Wilson, I. D.
Porcher,	Wilson, J. H.
Pressley,	Wilson, W. B.
Quattlebaum,	Withers,
Rainey,	Woods,
Reed,	Young.

The Journal of yesterday's proceedings was read.

Mr. A. T. Darby, delegate from St. Matthew's, appeared at the Clerk's desk, produced his credentials, signed the Roll, and took his seat.

On motion of Mr. Glover, it was

*Resolved*, That Mr. A. T. Darby have leave to sign the Ordinance of Secession.

The President laid before the Convention the following

communication, which was ordered to be entered on the Journal and to be printed :

*To the Hon. the President and Members of the  
Convention of the Independent State of South Carolina :*

GENTLEMEN : I am to-night informed, that a resolution was this day adopted, inviting me to a seat on the floor of your Convention. For the compliment thus paid my State, in my person, please accept my grateful acknowledgments. I regret that engagements elsewhere imperatively forbid the enjoyment of your proffered courtesy.

Intelligence received to-night makes "assurance doubly sure," that Alabama stands by the side of South Carolina, prepared to share with her a common destiny.

Information, obtained on diligent inquiry in the last few days, justifies me in saying, that the gallant sons of North Carolina, and Virginia, are now ready to rally around the standard of Southern Rights and Honor, which you have so gloriously reared ; and that those two States will also be members, in all probability, of the Great Southern Confederacy by the 4th of next March. The other Slave States must, sooner or later, take the same course, or be involved in inevitable ruin. To the bold, deliberate, and decisive action of your body, are the people of the South indebted for the great movement which must end in the vindication of their rights ; and the future historian must award to South Carolina the honor of leadership in carrying out the measures destined to release them from the wrongs and oppressions under which they have so long and so patiently suffered.

With sentiments of profound consideration, I am,  
Most respectfully,

J. W. GARROTT.

CHARLESTON, December 26, 1860.

On motion of Mr. Magrath, leave of absence was granted to Mr. Conner, on account of sickness.

On motion of Mr. Carroll, leave of absence was granted to Mr. Hammond, on account of indisposition.

On motion of Mr. Atkinson, leave of absence was granted to Mr. Forster, on account of illness in his family.

On motion of Mr. Reed, leave of absence was granted to Mr. Mauldin, on account of illness in his family.

On motion of Mr. W. P. Shingler, leave of absence was granted to Mr. J. M. Shingler, on account of indisposition.

On motion of Mr. Rhett, the Convention proceeded to the consideration of an

*Ordinance*, Recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of the Southern Confederacy; and

The Report of the Committee on Relations with the Slaveholding States of North America;

And, pending the consideration thereof,

On motion of Mr. D. L. Wardlaw, the Convention went into

### SECRET SESSION.

The President laid before the Convention certain despatches received from the Commissioners to Washington.

Mr. Magrath offered the following resolutions:

*Resolved*, That the transfer of the garrison from Fort Moultrie to Fort Sumter, pending the negotiations at Washington, between the Commissioners of this State and the President of the United States, accompanied as it was by the destruction of public property, is to be regarded as an act of hostility.

*Resolved*, That this Convention approves the conduct of the Governor in taking immediate possession of Castle Pinckney and Fort Moultrie, and of holding these places henceforth in the name of this State; and that the Commissioners of this State at Washington be now requested to present to the President of the United States the necessity for the immediate withdrawal of the troops of the

United States at Fort Sumter, and the possession of that Fort by this State, as necessary for the peace of the State and the protection of property within its limits.

Mr. Keitt moved to amend the resolution by striking out the words: "and of holding these places henceforth in the name of this State."

Mr. D. L. Wardlaw offered the following amendment:

*Resolved*, That in reference to Forts Moultrie and Sumter, troops of the United States have committed acts of hostility against this State, in violation of the understanding to which this State, in the hope of preserving peace, has carefully adhered.

That if upon the disavowal of those acts by the President of the United States, matters shall be restored to the *status ante bellum*, this Convention will expect the Governor, by employment of State forces and other suitable means, to insure the safety of the United States troops against all violence, when those troops shall have returned to Fort Moultrie, which they have partially dismantled; and that if the restoration shall be ordered, our Commissioners at Washington be requested to proceed in the duty assigned to them; otherwise, to return home.

Mr. Wardlaw withdrew his amendment.

Mr.                    moved that the resolutions and the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 111; nays, 40.

The yeas and nays were demanded, and are as follows:  
Those who voted in the affirmative, are:

Hon. D. F. JAMISON, <i>President</i> ; and	
Messrs. Allison,	Beaty,
Appleby,	Bethea,
Ayer,	Bellinger,
Barron,	Bobo,
Barton,	Brabham,

Brown, A. II.	Keitt,
Cain,	Kershaw,
Calhoun,	Kinsler,
Carr,	Landrum,
Carroll,	Lawton,
Caughman,	Lewis,
Chesnut,	Lyles,
Cheves,	McCrady,
Clarke,	McKee,
Curtis,	McLeod,
Darby,	Manning,
Davant,	Mauldin,
De Saussure,	Maxwell,
De Treville,	Mayes,
Duncan,	Mazyek,
Dunkin,	Means,
Dunovant, A. Q.	Memminger,
Du Pre,	Miles,
Ellis,	Moore,
English,	Noble,
Evans,	Nowell,
Finley,	Perrin,
Flud,	Pope,
Foster,	Quattlebaum,
Frampton,	Rainey,
Furman,	Reed,
Garlington,	Rhett,
Geiger,	Rhodes,
Glover,	Richardson, J. P.
Goodwin,	Robinson,
Gourdin, R. N.	Rowell,
Gourdin, T. L.	Seabrook, E. M.
Gregg, Maxcy,	Sessions,
Grisham,	Shingler, W. P.
Hammond,	Simpson,
Hanckel,	Smyly,
Harrison,	Snowden,
Hayne,	Spain,
Hopkins,	Springs,
Hunter,	Thompson, R. A.
Hutson,	Thomson, Thomas
Ingram,	Timmons,
Jefferies,	Tompkins,
Jenkins, J. E.	Townsend,
Johnson,	Wannamaker,



Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.

Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative are :

Messrs. Atkinson,  
 Bonneau,  
 Brown, C. P.  
 Burnet,  
 Caldwell,  
 Campbell,  
 Cauthen,  
 Crawford,  
 Dargan,  
 Davis,  
 Fair,  
 Gadberry,  
 Gist,  
 Harlee,  
 Henderson,  
 Honour,  
 Jackson,  
 Jenkins, John  
 Kilgore,  
 Kinard,

Logan,  
 Melver,  
 Magrath,  
 Middleton, J. Izard  
 Middleton, W.,  
 Moorman,  
 O'Hear,  
 Palmer,  
 Parker,  
 Porcher,  
 Pressley,  
 Richardson, F. D.  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.  
 Simons,  
 Smith,  
 Spratt,  
 Stokes,  
 Wagner.

On motion of Mr. Bobo, leave of absence until Wednesday next, was granted to Mr. Curtis on account of important business.

The Convention resumed the consideration of an Ordinance recommending and providing for a Convention of the Slaveholding States of the United States, to form the Constitution of a Southern Confederacy; and

The Report of the Committee on Relations with the Slaveholding States of North America.

Mr. Memminger moved to strike out the *resolutions* reported by the Committee, and insert, in the form of resolutions, the Ordinance recommending and providing for a Convention of the Slaveholding States of the United States to form the Constitution of a Southern Confederacy.

Mr. Hayne moved that the Ordinance be ordered to lie on the table.

On motion of Mr. Means, leave of absence, until Wednesday next, was granted to Mr. Lyles, on account of sickness in his family.

On motion of Mr. De Saussure, leave of absence, until Wednesday next, was granted to Mr. Hopkins, on account of important business.

On motion of Mr. Maxey Gregg, the Convention was adjourned at half-past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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### SATURDAY, DECEMBER 29, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. D. C. Appleby.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Barron,  
Barton,  
Beaty,  
Bethua,  
Bellinger,  
Bonneau,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Cain,  
Calhoun,  
Caldwell,  
Campbell,

Carn,  
Carroll,  
Canghman,  
Canthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Darby,  
Dargan,  
Davant,  
Davis,  
De Saussure,  
Dunkin,  
Du Pre,

Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Grisham,  
Hanckel,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Logan,  
McCrary,  
McIver,  
McKee,  
McLeod,  
Maxwell,  
Mayes,

Mazyck,  
Memminger,  
Middleton, J. Izard  
Middleton, W.  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Perrin,  
Poreher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rowell,  
Scott,  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,

Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.

Withers,  
 Woods,  
 Young.

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication; which, on motion of Mr. Dunkin, was ordered to lie on the table:

COLLECTOR'S OFFICE, Charleston, S. C.

December 28, 1860.

Hon. D. F. JAMISON,

*President of the Convention:*

SIR: I beg leave, respectfully to inform the Convention, that, in obedience to the Ordinance passed on the 26th inst., all the officers attached to this Custom House, entered yesterday into the service of the State, and that I then commenced to receive duties and to transact all other business as Collector of the State of South Carolina for the Port and District of Charleston.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. F. COLCOCK,

*Collector of South Carolina, for the Port and  
 District of Charleston.*

Mr. Dunkin offered the following Resolution:

*Resolved*, That, until otherwise ordered, the Collectors of the Ports in the State, be authorized to receive payment of duties in bills of the banks of this State.

And, pending the consideration thereof, a message was received from his Excellency, the Governor;

Whereupon, the Convention went into

SECRET SESSION.

The following communication was received from his

Excellency the Governor, and was ordered to lie on the table:

EXECUTIVE DEPARTMENT,  
Charleston, 28 December, 1860.

To Hon. D. F. JAMISON,  
*President of the Convention:*

SIR: As the Convention sent for me yesterday, to be informed upon important business, I take the occasion to say, that, under my order, Castle Pinckney was taken last evening; and the United States flag hauled down, and the Palmetto banner run up in its place. And I also ordered a detachment from an artillery regiment to occupy Sullivan's Island; and if it could be done without any immediate danger from mines, or too great loss of life, to take Fort Moultrie, and to run up the Palmetto flag, and put the guns in immediate preparation for defence. I have now full possession of those two forts. I considered the evacuation of Fort Moultrie, under all the circumstances, a direct violation of the distinct understanding between the authorities of the Government at Washington and those who were authorized to act on the part of the State, and bringing on a state of war.

I, therefore, thought it due to the safety of the State that I should take the steps I have. I hope there is no immediate danger of further aggression for the present.

Respectfully,

F. W. PICKENS.

The Convention resumed the consideration of the following resolution:

*Resolved*, That until otherwise ordered, the Collectors of the ports in this State be authorized to receive payment of duties in bills of the banks of this State.

Mr. Cheves offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table:



Strike out the words "bills of the banks of this State," and insert "in such moneys as shall be receivable in payment of State taxes."

Mr. Memminger offered the following amendment:

*Provided*, That no bank notes be accepted by the Collectors which are below the par value of the notes of the Bank of the State of South Carolina.

Mr. Chesnut moved that the amendment be ordered to lie on the table, which motion was not agreed to.

Mr. F. H. Wardlaw moved that the *resolution* be ordered to lie on the table, which motion was not agreed to.

The amendment was agreed to; and the resolution as amended was agreed to, and was ordered to be made public.

The President laid before the Convention a despatch from the Commissioners at Washington.

Mr. Simons offered the following resolution; which was considered immediately, and was agreed to, and was ordered to be made public:

*Resolved*, That the President of this Convention be requested to transmit to his Excellency the Governor and to the General Assembly of this State, at its session, copies of the Ordinances which have been and may, from time to time, be adopted by this body.

Mr. De Treville offered the following resolution; which, on motion of Mr. Harllee, was ordered to lie on the table and to be printed.

*Resolved*, That the Governor be authorized and requested forthwith to cause to be enlisted into the service of the State, for the term of six months, at such rate of compensation and emolument as is now allowed by the Federal Government to its infantry soldiers, two regiments of six

hundred and forty privates each, to be divided into eight companies each; and also that he do appoint suitable persons to command the said regiments and companies, and supply all vacancies from time to time, subject to the approval of the Senate.

*Resolved, further,* That as soon as a sufficient number of companies shall be enlisted, officered and properly drilled, they be employed to relieve the volunteers now in possession of the forts in this State.

Mr. Thomas Thomson offered the following resolutions; which were considered immediately, and were agreed to:

*Resolved,* That it shall be the duty of the Committee on Accounts to examine and report upon the accounts and contingent expenses of this Convention.

*Resolved,* That whenever an appropriation therefor shall be made by the Legislature, the President of the Convention be authorized to draw his warrant, or warrants, on the Treasury, countersigned by the Cashier or Deputy Cashier, for the payment of such accounts and contingent expenses as may be allowed by the Convention.

Mr. Thomas Thomson, from the Committee on Accounts, made reports,

On the account of P. B. Glass, for stationery; and

On the account of E. R. Stokes, for articles furnished and services rendered; which were considered immediately, and were agreed to.

Mr. Porcher presented certain accounts contracted by the Committee of Arrangements, for preparing the Hall for the Convention; which were referred to the Committee on Accounts.

On motion of Mr. Harlee, leave of absence, till Tuesday next, was granted to Mr. Dargan, on account of illness in his family.

Mr. A. H. Brown offered the following Ordinance, which was ordered to be printed:

That the judicial power heretofore delegated by this State, so as to form a part of the judicial system of the United States, having reverted to this State, be exercised by the Courts of the State now established, until further direction. The right of appeal being preserved where the amount involved exceeds                      dollars. In all cases affecting ambassadors, other public ministers and consuls, there shall be in all of the Courts as near a conformity as may be to the regulations and practice now prevailing in the Courts of the United States; in all other cases, the practice shall conform to the practice of the Courts of the State.

That the said Courts shall have power to appoint such officers under it as may be necessary in execution of the judicial power hereby conferred; the laws of the United States which were in operation at the time of the secession of this State, concerning offences connected with the Post-office Department, the Public Customs, or Seamen, and an Act of the Congress of the United States, entitled "An Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March 3, 1825, shall be considered as laws of this State, until they may be altered or repealed; all offences under the said laws shall be subject to the jurisdiction of the Courts of this State; in cases which, under the laws aforesaid, have heretofore been tried by a jury, the trial shall be by jury, according to the mode of jury trial which is of force in this State; in all cases of admiralty and maritime jurisdiction, in which the trial by jury has not been established, the form and mode of proceeding shall be such as have heretofore been in use in the Courts within this State that have heretofore had cognizance of such cases.

•

Mr. Miles offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That the late members of Congress from this State be admitted to seats on the floor of the Convention at all times during its session.

## SPECIAL ORDER.

On motion of Mr. Rhett, the Convention resumed the consideration of an Ordinance, recommending and providing for a Convention of the slaveholding States of the United States to form the Constitution of a Southern Confederacy; and

The report of the Committee on Relations with the slaveholding States of North America.

Mr.            moved that the Ordinance be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 76; nays, 55.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Allison,	Gourdin, T. L.
Ayer,	Harrison,
Barron,	Hayne,
Barton,	Henderson,
Beaty,	Hunter,
Bellinger,	Ingram,
Brabham,	Jackson,
Brown, A. H.	Jefferies,
Carn,	Johuson,
Carroll,	Kershaw,
Caughman,	Landrum,
Charles,	Logan,
Chesnut,	McCrary,
Cheves,	McIver,
Darby,	McKee,
De Saussure,	Manning,
De Treville,	Maxwell,
Duncan,	Mayes,
Du Pre,	Mazyck,
Ellis,	Means,
English,	Middleton, J. Izard
Finley,	Miles,
Foster,	Noble,
Gadberry,	Nowell,
Geiger,	Perrin,
Glover,	Pope,

Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhodes,  
 Richardson, F. D.  
 Sessions,  
 Smyly,  
 Snowden,  
 Springs,  
 Thompson, R. A.

Thomson, Thomas  
 Tompkins,  
 Townsend,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Atkinson,  
     Bethea,  
     Bonneau,  
     Brown, C. P.  
     Burnet,  
     Calhoun,  
     Caldwell,  
     Campbell,  
     Cauthen,  
     Clarke,  
     Crawford,  
     Davant,  
     Dunkin,  
     Evans,  
     Fair,  
     Flud,  
     Frampton,  
     Furnan,  
     Garlington,  
     Gist,  
     Gregg, Maxey  
     Hanckel,  
     Harllee,  
     Honour,  
     Hutson,  
     Jenkins, John  
     Jenkins, J. E.

Kilgore,  
 Kinard,  
 Kinsler,  
 Lawton,  
 Magrath,  
 Memminger,  
 Moore,  
 Moorman,  
 O'Hear,  
 Parker,  
 Rhett,  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Seabrook, G. W.  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Smith,  
 Spain,  
 Spratt,  
 Timmons,  
 Wagner,  
 Wilson, W. B.

The Convention proceeded to the consideration of the



report of the Committee on the Slaveholding States of North America.

Mr. Finley offered the following amendment:

And that if such proposition shall be accepted, that said Commissioners be authorized to propose to the said seceding States to appoint the            day of February next, for the election of the President and Vice President of the Southern Confederacy by electors previously chosen by them; and also to appoint such times for the election of Senators and Representatives of the Government to be organized as will enable the said Government to be inaugurated at the City of            in the State of            or such other place as may be agreed on, and go into operation on the twenty-second day of February, in the year one thousand eight hundred and sixty-one.

And that whenever the said Permanent Government shall be agreed on and be organized, the said Provisional Government, and all offices created under the authority of the said Government, shall utterly cease and be abolished.

Mr. Maxey Gregg offered the following as an amendment to the first resolution; which, on motion of Mr. Pressley, was ordered to lie on the table:

That the President of the Convention be instructed to transmit to the Conventions of the People that may be assembled in other slaveholding States, copies of our Ordinance of Secession, with a respectful invitation to them to join in the formation of a Southern Confederacy.

The first resolution was adopted.

Mr. Fair moved that the second resolution be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 56; nays, 73.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Atkinson,	Jefferies,
Beaty,	Jenkins, John
Bethea,	Kilgore,
Bonneau,	Kinard,
Brown, C. P.	Kinsler,
Burnet,	Melver,
Calhoun,	Mazyck,
Caldwell,	Middleton, J. Izard
Campbell,	Moorman,
Caughman,	Parker,
Canthen,	Perrin,
Cheves,	Porcher,
Clarke,	Rhett,
Darby,	Richardson, J. P.
Duncan,	Robinson,
Du Pre,	Rutledge,
English,	Scott,
Fair,	Seabrook, G. W.
Flud,	Shingler, J. M.
Garlington,	Simons,
Geiger,	Simpson,
Gist,	Smith,
Gregg, Maxey	Snowden,
Hanckel,	Spain,
Harrison,	Spratt,
Honour,	Wagner,
Hutson,	Wardlaw, D. L.
Jackson,	Wier.

Those who voted in the negative are:

Hon. D. F. JAMISON, <i>President</i> ; and	
Messrs. Allison,	De Treville,
Ayer,	Dunkin,
Barron,	Ellis,
Barton,	Evans,
Bellinger,	Finley,
Brown, A. H.	Foster,
Carn,	Frampton,
Carroll,	Furman,
Charles,	Gadberry,
Chesnut,	Glover,
Davant,	Grisham,
De Saussure,	Harlee,

Hayne,  
 Hunter,  
 Ingram,  
 Jenkins, J. E.  
 Johnson,  
 Kershaw,  
 Landrum,  
 Lawton,  
 Logan,  
 McKee,  
 Magrath,  
 Manning,  
 Maxwell,  
 Mayes,  
 Means,  
 Memminger,  
 Miles,  
 Moore,  
 Noble,  
 Nowell,  
 O'Hear,  
 Pope,  
 Pressley,  
 Quattlebaum,

Rainey,  
 Reed,  
 Rhodes,  
 Richardson, F. D.  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, W. P.  
 Smyly,  
 Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, F. H.  
 Watts,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Mr. Maxey Gregg offered the following amendment to the second resolution, which was agreed to :

*Provided,* That the said Provisional Government, and the tenures of all officers and appointments arising under it, shall cease and determine, in two years from the first day of July next, or when a permanent Government shall have been organized.

Mr. Maxey Gregg offered the following amendment to the second resolution :

With the proviso that the basis of representation in Congress shall be the whole population, not excluding any part of the slaves.

Mr. Reed moved that the amendment be ordered to lie

on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 109; nays, 22.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	Geiger,
Barron,	Glover,
Barton,	Gourdin, R. N.
Beaty,	Grisham,
Bethia,	Harlee,
Bellinger,	Harrison,
Bonneau,	Hayne,
Brown, A. H.	Honour,
Burnet,	Hunter,
Calhoun,	Hutson,
Caldwell,	Ingram,
Campbell,	Jackson,
Carr,	Jefferies,
Carroll,	Johnson,
Caughman,	Kershaw,
Canthen,	Kilgore,
Charles,	Kinard,
Chesnut,	Landrum,
Cheves,	Lawton,
Clarke,	Logan,
Crawford,	McCrary,
Darby,	McIver,
Davant,	McKee,
Davis,	Magrath,
De Saussure,	Manning,
De Treville,	Maxwell,
Duncan,	Mayes,
Dunkin,	Means,
Ellis,	Memminger,
English,	Miles,
Evans,	Moore,
Finley,	Moorman,
Foster,	Noble,
Frampton,	O'Hear,
Furman,	Perrin,
Gadberry,	Pope,
Garlington,	Porcher,

Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, W. P.  
 Simpson,  
 Smyly,  
 Snowden,  
 Spratt,

Springs,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative are :

Messrs. Atkinson,  
 Brown, C. P.  
 Du Pre,  
 Fair,  
 Flud,  
 Gist,  
 Gregg, Maxey  
 Hancock,  
 Jenkins, John  
 Jenkins, J. E.  
 Kinsler,

Mazyek,  
 Middleton, J. Izard  
 Nowell,  
 Parker,  
 Rutledge,  
 Scott,  
 Seabrook, G. W., Sr.  
 Shingler, J. M.  
 Simons,  
 Smith,  
 Spain.

Mr. Mazyek offered the following amendment, which was ordered to lie on the table :

And with the distinct understanding and stipulation that such Provisional Government shall not be authorized to impose any duty on imports exceeding one-tenth of the value of the article imported, and that the power to regulate commerce shall be declared not to include the power to prohibit any branch of commerce.

Mr. Pope offered the following amendment :

That eight Deputies shall be elected by ballot by this Convention, who shall be authorized to meet in Conven-



tion such Deputies as may be appointed by the other Slaveholding States who may secede from the Federal Union, for the purpose of carrying into effect the foregoing resolutions, and that it be recommended to the said States, that each State be entitled to one vote in the said Convention, upon all questions which may be voted upon therein ; and that each State send as many Deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

Mr.                      moved that the amendment be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the negative.

Yeas, 52 ; nays, 79.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Barron,	McKee,
Bonneau,	Manning,
Carn,	Mazyck,
Carroll,	Means,
Caughman,	Middleton, J. Izard
Chesnut,	Miles,
Cheves,	Moore,
Darby,	Noble,
Davis,	Perin,
De Saussure,	Reed,
Duncan,	Rhodes,
Evans,	Springs,
Finley,	Thompson, R. A.
Foster,	Thomson, Thomas
Gadberry,	Tompkins,
Garlington,	Wannamaker,
Geiger,	Wardlaw, D. L.
Glover,	Wardlaw, F. H.
Gourdin, R. N.	Watts,
Hayne,	Wier,
Ingram,	Wilson, I. D.
Johnson,	Wilson, J. H.
Kershaw,	Withers,
Kilgore,	Woods,
Landrum,	Young.
McIver,	

Those who voted in the negative are :

Messrs. Allison,	Kinsler,
Atkinson,	Lawton,
Ayer,	Logan,
Barton,	McCrary,
Beaty,	Magrath,
Bethca,	Maxwell,
Bellinger,	Mayes,
Brown, A. H.	Memminger,
Burnet,	Moorman,
Calhoun,	Nowell,
Caldwell,	O'Hear,
Campbell,	Parker,
Canthen,	Pope,
Charles,	Porcher,
Clarke,	Pressley,
Crawford,	Quattlebaum,
Davant,	Rainey,
De Treville,	Rhett,
Dunkin,	Richardson, F. D.
Du Pre,	Richardson, J. P.
Ellis,	Robinson,
English,	Rowell,
Fair,	Rutledge,
Flud,	Seabrook, E. M.
Frampton,	Seabrook, G. W.
Furman,	Sessions,
Gist,	Shingler, J. M.
Gourdin, T. L.	Shingler, W. P.
Gregg, Maxey	Simons,
Hanckel,	Simpson,
Harlee,	Smyly,
Harrison,	Smith,
Honour,	Snowden,
Hunter,	Spain,
Hutson,	Spratt,
Jackson,	Timmmons,
Jefferies,	Townsend,
Jenkins, John	Wagner,
Jenkins, J. E.	Wilson, W. B.
Kinard,	

So the motion was not agreed to.

The President laid before the Convention certain dispatches from the Commissioners at Washington.

On motion of Mr. De Treville, the Convention proceeded to the consideration of the following resolutions :

*Resolved*, That the Governor be authorized and requested, forthwith, to cause to be enlisted into the service of the State, for the term of six months, at such rate of compensation and emolument as is now allowed by the Federal Government to its infantry soldiers, two regiments of six hundred and forty privates each, to be divided into eight companies each ; and also that he do appoint suitable persons to command the said regiments and companies, and supply all vacancies from time to time, subject to the approval of the Senate.

*Resolved further*, That as soon as a sufficient number of companies shall be enlisted, officered, and properly drilled, they be employed to relieve the volunteers now in possession of the forts in this State.

And, pending the consideration thereof, the Convention was adjourned at four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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SUNDAY, DECEMBER 30, 1860.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,  
Atkinson,  
Ayer,  
Beaty,

Bethea,  
Bellinger,  
Bonneau,  
Brabham,

Brown, A. H.	Hayne,
Brown, C. P.	Henderson,
Burnet,	Honour,
Calhoun,	Hunter,
Caldwell,	Hutson,
Campbell,	Jackson,
Carn,	Jefferies,
Carroll,	Jenkins, John
Caughman,	Jenkins, J. E.
Cauthen,	Johnson,
Charles,	Kershaw,
Chesnut,	Kilgore,
Cheves,	Kinard,
Clarke,	Kinsler,
Crawford,	Landrum,
Darby,	Lewis,
Davant,	McCrady,
Davis,	McIver,
De Saussure,	McKee,
De Treville,	Magrath,
Duncan,	Maxwell,
Dunkin,	Mayes,
Du Pre,	Mazyek,
Easley,	Means,
Ellis,	Memminger,
English,	Middleton, J. Izard
Evans,	Miles,
Fair,	Moore,
Finley,	Moorman,
Flud,	Noble,
Foster,	Nowell,
Frampton,	O'Hear,
Furman,	Parker,
Gadberry,	Perrin,
Garlington,	Porcher,
Geiger,	Pressley,
Gist,	Quattlebaum,
Glover,	Rainey,
Gourdin, R. N.	Rhett,
Gourdin, T. L.	Rhodes,
Gregg, Maxey	Richardson, F. D.
Grisham,	Robinson,
Hanckel,	Rowell,
Harlee,	Seabrook, E. M.
Harrison,	Seabrook, G. W., Sr.

Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Thompson, R. A.

Timmons,  
Tompkins,  
Townsend,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.

The following communication was received from his Excellency the Governor:

EXECUTIVE OFFICE,  
Charleston, Dec. 30, 1860.

*To the President of the Convention:*

By an Ordinance of your body, transmitted to me, I am required to nominate immediately four gentlemen, as a Council of State.

I, therefore, hereby nominate to the Convention, for their confirmation, Hon. David F. Jamison, of Barnwell district; Hon. A. G. Magrath, of Charleston; Hon. C. G. Memminger, of Charleston; and Hon. A. C. Garlington, of Newberry district.

Respectfully,

F. W. PICKENS.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Mr. Maxey Gregg moved that the communication of his Excellency the Governor, be ordered to lie on the table till to-morrow; which motion was not agreed to.



Mr. Furman offered the following resolution, which was considered immediately, was agreed to, and, on motion of Mr. Fair, was ordered to be made public.

*Resolved*, That so soon as this Convention shall have disposed of such questions as it may be necessary to the public safety to consider immediately, it will adjourn.

On motion of Mr. De Treville, the nomination by his Excellency the Governor, of the Executive Council, was confirmed.

And, on motion of Mr. Fair, was ordered to be made public.

Certain dispatches from the Commissioners at Washington and others, were read.

Mr. Miles offered the following resolution, which was considered immediately, and was agreed to.

*Resolved*, That it is the sense of this Convention that the vigor of military preparation and defence should not be relaxed; and that a copy of this resolution be immediately communicated to the Governor.

The Convention resumed the consideration of the resolutions (offered by Mr. De Treville) authorizing the Governor to cause two regiments to be enlisted into the service of the State.

And, on motion of Mr. Cheves, it was

*Resolved*, That these resolutions be referred to the Governor and Council, and be made the special order of the day for to-morrow, at eleven o'clock, A. M.

Mr. A. H. Brown offered the following resolution:

*Resolved*, That the Governor be advised to move or destroy the beacons on Sullivan's Island and Morris' Island, and on the Main of Christ Church, and also forbid the lighting of the lamps at the Light-House, Castle Pinckney

and at Battery Square, till further directed, and to remove the buoys.

*And be it further Resolved*, That the Cutter in the service of the State do receive on board a competent corps of experienced pilots, who shall be required to board all neutral vessels and safely to conduct them into the port; and also safely to pilot out of the harbor such as may be duly authorized to put to sea, and that no other boats be permitted to act in this service or as pilots, till otherwise directed.

And pending the consideration thereof, the Convention was adjourned at half-past eleven o'clock, A. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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MONDAY, DECEMBER 31, 1860.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. T. R. English.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,  
Appleby,  
Atkinson,  
Barton,  
Beaty,  
Bethea,  
Bellinger,  
Bonneau,  
Brown, A. H.  
Burnet,  
Cain,  
Calhoun,  
Caldwell,  
Campbell,

Carn,  
Carroll,  
Caughman,  
Caughen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Darby  
Davant,  
Davis,  
DeSaussure,  
Duncan,

Dunkin,  
Dunovant, A. Q.  
Du Pre,  
Easley,  
Ellis,  
English,  
Evans,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lawton,  
Lewis,  
Logan,  
McIver,  
McKee,  
Maxwell,  
Mayes,

Mazyck,  
Means,  
Memminger,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Rhett,  
Rhodes,  
Rowell,  
Rutledge,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Sims,  
Thompson, R. A.  
Timmons,  
Tompkins,  
Wardlaw, D. L.  
Watts,  
Wier,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Mr. A. H. Brown asked and obtained leave to withdraw the resolution offered by him yesterday.

The following communication was received from his Excellency the Governor; and on motion of Mr. De Treville, the communication and the accompanying resolutions were made the special order of the day for this day, at eleven o'clock, A. M., in connection with the resolutions offered by Mr. De Treville, on the same subject :

EXECUTIVE DEPARTMENT,  
31 December, 1860.

*To the President and Delegates of the Convention :*

I received the resolution in relation to raising and enlisting two regiments of infantry ; and after full consultation with the Executive Council, I herewith enclose the resolutions we agreed to.

And I most respectfully urge the adoption of the principles and plan suggested in the same as a measure well calculated to advance the public service.

F. W. PICKENS.

The resolutions referred to in the message of his Excellency the Governor are as follows :

*Resolved*, That the Governor be authorized and requested forthwith to cause to be enlisted into the service of the State, for the term of twelve months, at such rates of compensation and emolument as are now allowed by the Federal Government; one regiment of 640 privates, to be divided into eight companies, and that he appoint suitable persons to command the said regiments and companies, and from time to time to supply vacancies, subject to the approval of

the Senate ; the said officers to be entitled to the same pay and emoluments as is allowed by the Federal Government to officers of similar grade in that service. And that the Governor be also authorized, whenever the public interest may, in his opinion, require it, to enlist for a period not exceeding twelve months, another regiment, with a like number of officers and privates, and like pay and emoluments, the officers to be appointed in the same manner as the former.

2. That the Governor be also authorized to appoint three or more engineers, and to organize a corps as soon as the same can be done ; the rank of the chief to be that of a captain of engineers, and the pay and emoluments to be the same as are allowed by the Federal Government to officers of the like employment and rank.

3. *Resolved further*, That as soon as a sufficient number of companies shall be enlisted, officered and properly drilled, they be employed to relieve the volunteers now in the possession of the forts in this State.

### SPECIAL ORDER.

On motion of Mr. De Treville, the Convention proceeded to the consideration of the communication of his Excellency the Governor, and the accompanying resolutions, together with the resolutions on the same subject offered by Mr. De Treville ; which had been made the special order of the day for this day, at eleven o'clock, A. M.

On motion of Mr. De Treville, the resolutions offered by Mr. De Treville were ordered to lie on the table ; and the resolutions accompanying the message of his Excellency the Governor were taken up.

Mr. Hanckel moved that the second resolution be stricken out ; which motion was not agreed to.

On motion of Mr. Chesnut, the following words were added to the third resolution : " Or otherwise, at the discretion of the Commander-in-Chief."

On motion of Mr. Magrath, the first resolution was



amended by adding: "And armed in such manner and for such service as the Governor may approve."

Mr. De Treville offered the following amendment, which was agreed to:

"4. That as soon as either of the said regiments shall be organized, they shall be subject to such of the rules and articles of war at present known and used in the army of the United States, as may be approved by the Governor of this State."

Mr. McCrady offered the following amendment to the first resolution; which, on motion of Mr. E. M. Seabrook, was ordered to lie on the table:

Strike out "for the term of twelve months," and insert in lieu thereof: "during the pleasure of the State, not less than one year nor more than five years."

The resolutions, as amended, were agreed to; and a copy thereof transmitted to his Excellency the Governor.

Mr. Williams Middleton offered the following Ordinance, which, on motion of Mr. Chesnut, was referred to the Committee on Foreign Relations:

*Be it ordained by the people of South Carolina, now met and sitting in Convention, That the Governor be and he is hereby empowered and instructed, in case of any attempt on the part of the Federal Government of the United States to coerce the Commonwealth of South Carolina, to issue letters of marque and reprisal to all applicants for the same, against all vessels belonging to any of the States or citizens of the States lying north of Mason and Dixon's line; and that during a state of war he have power to issue letters of marque and reprisal.*

Mr. D. L. Wardlaw offered the following resolution, which was considered immediately and was agreed to:

*Resolved, That it be referred to the Committee on Commercial Relations and Postal Arrangements to inquire whether any reduction can be properly made in the ex-*

penses of the Custom House and its incidents ; and if so, to what extent and how ; with leave to report by ordinance or otherwise.

Mr. Hutson offered the following resolution, which was referred to the Committee on the Constitution of the State :

*Resolved*, That if they deem it necessary, the Governor and Council are authorized and empowered to declare martial law in and over the City of Charleston and her dependencies, and to remove therefrom all persons whose presence, in their opinion, shall be detrimental to the public peace ; *provided*, that such power and authority shall be at all times subject to be limited, controlled or revoked by this Convention, or the General Assembly.

Mr. Magrath presented a communication from B. G. Heriot, late Pension Agent of the United States, and from Benj. D. Heriot, late Navy Agent of the United States ; which, on motion of Mr. Magrath, were respectively referred to the Committee on Commercial Relations and Postal Arrangements.

Mr. Simons presented the Report of the Committee on Engrossed Ordinances, which was considered immediately and was agreed to.

On motion of Mr. John Izard Middleton, leave of absence was granted to Mr. Sessions, on account of illness in his family.

The Convention resumed the consideration of the Report of the Committee on Relations with the Slaveholding States of North American ; and after various amendments, the report and resolutions were agreed to, and were committed to the Committee on Engrossed Ordinances.

Mr. R. N. Gourdin offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on Commercial Relations and Postal Arrangements to inquire into the condition of the new Custom House and of the material

provided for its construction, lying in the yard, and to report whether any or what measures may be necessary for their protection.

### GENERAL ORDERS.

An Ordinance concerning powers lately vested in the Congress of the United States ;

An Ordinance concerning judicial powers, and

An Ordinance to define and punish treason, were agreed to, and were committed to the Committee on Engrossed Ordinances.

On motion it was

*Resolved*, That this Convention will go into an election to-morrow, at eleven o'clock, A. M., for eight Deputies, as provided for by the resolution adopted this day.

An Ordinance concerning citizenship was taken up ; and pending the consideration thereof, the Convention was adjourned at four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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### TUESDAY, JANUARY 1, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, the proceedings were opened with prayer by Rev. D. Du Pre.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Barron,  
Barton,  
Beaty,

Bethea,  
Bellinger,  
Bonneau,  
Brown, A. H.  
Brown, C. P.  
Burnet,

Calhoun,  
Caldwell,  
Campbell,  
Carn,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Cheves,  
Crawford,  
Darby,  
Davant,  
Davis,  
De Saussure,  
Duncan,  
Dunkin,  
Du Pre,  
Easley,  
Ellis,  
English,  
Evans,  
Finley,  
Flud,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, William  
Grisham,  
Hanckel,  
Harlee,  
Harrison,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.

Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
McIver,  
McKee,  
McLeod,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, J. Izard  
Middleton, W.  
Moore,  
Moorman,  
Nowell,  
O'Hear,  
Parker,  
Perrin,  
Pressley,  
Quattlebaum,  
Rainey,  
Rhodes,  
Richardson, F. D.  
Robinson,  
Rowell,  
Scott,  
Seabrook, G. W., Sr.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.

Timmons,  
Tompkins,  
Wagner,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Wier,

Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read, and the Convention went into

### SECRET SESSION.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made the following Report, which was considered immediately, was agreed to, and ordered to be transmitted to his Excellency the Governor:

The Committee on the Constitution of the State, to whom was referred a resolution concerning martial law, report, that they have considered the same, and beg leave to recommend for the adoption of the Convention, the following resolution:

*Resolved*, That whenever, in the course of the struggle into which the State now seems likely to be drawn, hostilities may be waged or threatened against the City of Charleston, or its neighborhood, and the Governor, (upon consultation with the Executive Council) may deem the measure necessary, the Governor is hereby authorized to declare and enforce martial law, in whole or in part, in and over Charleston, its harbor and neighboring villages; all the adjacent islands, including Morris' Island, and all other places within five miles of the Court House; to remove thence all persons whose presence he shall consider detrimental to the public service; to prevent the ingress of such persons; to regulate, at discretion, all travel to and forth, and otherwise to govern as in a camp: *Provided*, that such authority shall be, at all times, subject to be limited, controlled, or revoked by this Convention, or by the General Assembly.



Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following Report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred a resolution in relation to the new Custom House, beg leave to report :

That they had before them the communication of Col. Edward B. White to the Chairman of the Committee, under date 22d December, 1860, and also his letter to one of the Committee, which are submitted with this report.

Col. White was employed by the United States to superintend the construction of the building, at a stipulated salary, and gave bond in the penalty of \$20,000. He has charge of the building and materials.

The Committee, after mature consideration, are of opinion that it would be inexpedient for the Convention to interfere with any property of the United States, which is not indispensably necessary for the protection or welfare of the State. Not regarding the new Custom House as of this character, the Committee cannot recommend to the Convention any action in reference to these communications, and they respectfully ask leave to be discharged from the further consideration of the subject.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following Report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom were referred the communications of Benj. D. Heriot, late Navy Agent of the United States, and of Benj. G. Heriot, late Pension Agent of the United States, beg leave respectfully to report :

That, at this time, they would deem it inexpedient for the Convention to appoint such officers for the State of South Carolina. Under Ordinances already passed, matters of this character will be under the cognizance of the Legislature, who can adopt such regulations as may be deemed requisite for the welfare of the State, or of her citizens. Under these circumstances, the Committee respectfully ask

leave to be discharged from the further consideration of the subject.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following Report:

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the resolution of inquiry in relation to the expenses of the Custom House, beg leave to report:

That they have taken testimony upon the subject, and they herewith submit, also, a written statement of the Collector. For reasons which can more properly be orally communicated to the Convention than formally embodied in a report, the Committee recommend that no alteration be made by the Convention in relation to the said establishment; and submit, that if a change should be hereafter deemed necessary, it may be more satisfactorily accomplished in the department of Government to which such matters will peculiarly pertain.

Mr. D. L. Wardlaw offered the following amendment to the report, which was agreed to:

*Resolved*, That the letter of Mr. Colecock, Collector of the Port of Charleston, addressed to the Committee on Commercial Relations and Postal Arrangements, just read to the Convention, be filed carefully and preserved; and that it be declared that this Convention expects the whole staff of officers connected with the Customs, to be paid from the customs, and in no event to bring a charge upon the State.

The report, as amended, was agreed to.

The Convention resumed the consideration of an Ordinance concerning citizenship; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 85; nays, 28.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are :

Messrs. Allison,	Johnson,
Atkinson,	Kershaw,
Barron,	Kilgore,
Bethea,	Kinard,
Bellinger,	Landrum,
Bonneau,	Lewis,
Burnet,	McCrady,
Cain,	McKee,
Calhoun,	McLeod,
Caldwell,	Manning,
Carr,	Maxwell,
Carroll,	Mayes,
Caughman,	Mazyek
Cauthen,	Moore,
Chesnut,	Moorman,
Crawford,	Parker,
Darby,	Perrin,
De Treville,	Porcher,
Duncan,	Rainey,
Dunkin,	Richardson, F. D.
Du Pre,	Richardson, J. P.
Ellis,	Robinson,
English,	Rowell,
Evans,	Seabrook, E. M.
Fair,	Shingler, W. P.
Finley,	Simons,
Flud,	Snowden,
Foster,	Spain,
Frampton,	Springs,
Garlington,	Stokes,
Geiger,	Sims,
Glover,	Thompson, R. A.
Gregg, William	Tompkins,
Grisham,	Wardlaw, D. L.
Hanckel,	Wardlaw, F. H.
Harrison,	Wier,
Hayne,	Wilson, I. D.
Henderson,	Wilson, J. H.
Honour,	Wilson, W. B.
Hunter,	Withers,
Ingram,	Woods,
Jackson,	Young.
Jefferies,	

Those who voted in the negative are :

Messrs. Brown, A. H.	Kinsler,
Brown, C. P.	Logan,
Campbell,	Middleton, J. Izard
Cheves,	Middleton, W.
Clarke,	Miles,
Davant,	Nowell,
De Saussure,	O'Hear,
Easley,	Scott,
Furman,	Seabrook, G. W.
Gist,	Shingler, J. M.
Gourdin, R. N.	Smith,
Gregg, Maxey,	Spratt,
Hutson,	Townsend,
Jenkins, J. E.	Wagner.

The Ordinance was committed to the Committee on Engrossed Ordinances.

On motion, the injunction of secrecy was removed in respect to the Ordinances adopted yesterday and to-day ; and from the report of the Committee on Relations with the Slaveholding States of North America.

Mr. Simons offered the following resolution, which, on motion of Mr. Pressley, was ordered to lie on the table :

*Resolved*, That a Committee of two from each Congressional district be appointed to suggest to this Convention, Commissioners to the various Southern States about to meet in Convention.

The Convention proceeded to ballot for Commissioner to the State of Florida.

The Convention proceeded to ballot for Commissioners to the States of Alabama, Mississippi, Georgia, Louisiana, Texas and Arkansas.

Mr. De Treville presented the account of A. J. Burke for stationery, which was referred to the Committee on Accounts.

Mr. Bethea, from the Committee appointed to count the ballots cast for Commissioner to the State of Florida,

reported that Mr. L. W. Spratt had received a majority of the ballots cast ;

Whereupon, the President announced that Mr. L. W. Spratt is duly elected Commissioner to the State of Florida.

Mr. Gadberry offered the following resolutions :

*Resolved*, That the Governor be, and he is hereby authorized to receive into the service of the State, for a period not exceeding six months, such Volunteer companies as may tender their services, if in his judgment the exigencies of the times require the immediate reception of additional troops.

2. That the Governor be authorized to organize any Companies, so received, into Battalions, Regiments, Brigades and Divisions, and to appoint the Field Officers for the same, by and with the advice and consent of the Senate : *Provided*, that the companies to be received, as aforesaid, shall consist of not less than sixty rank and file, four officers and five sergeants.

3. That Major-Generals, Brigadier-Generals, and Colonels of Regiments, shall have the same power to appoint their respective staff, as is now provided by law.

Mr. Kershaw offered the following amendment :

*Resolved*, That the Governor be authorized to call into service, at his discretion, existing Volunteer companies attached to the militia of the State, to remain in service only until superseded by the organization of the force provided for by the recent Act of the General Assembly ; such volunteers to be organized into regiments, and to be commanded by officers of their own selection, made in the manner now provided by the militia laws of the State, but without restriction as to the eligibility of said officers ; and,

On motion of Mr. Means, it was

*Resolved*, That these resolutions be referred to the Gov-



ernor and Council, with authority to act upon them, if they deem it expedient, with such modifications as they may think fit.

On motion of Mr. Spain, leave of absence was granted to Mr. Mayes, on account of illness in his family.

Mr. Memminger offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Governor be requested to issue a commission, under the seal of the State, countersigned by the Secretary of State, to each of the Commissioners who are, or may be, appointed by this Convention to the several slaveholding States, under the resolutions adopted by this body.

On motion of Mr. R. N. Gourdin, a despatch, received from Washington, was sent to his Excellency the Governor of North Carolina.

Mr. Miles, from the Committee on Foreign Relations, to whom had been referred a resolution providing for the issuing of letters of marque and reprisal, made a report, which, on motion of Mr. D. L. Wardlaw, was re-committed to the Committee.

On motion, leave of absence, until Tuesday next, was granted to Mr. Davant, on account of important business.

On motion of Mr. Young, leave of absence was granted to Mr. Watts, on account of indisposition.

Mr. Carn offered the following resolution, which was made the special order of the day for to-morrow, at one o'clock, P. M. :

*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d inst., at four o'clock, P. M.

On motion, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## WEDNESDAY, JANUARY 2, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. H. Honour.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,	English,
Appleby,	Evans,
Atkinson,	Fair,
Ayer,	Finley,
Barron,	Flud,
Barton,	Foster,
Beaty,	Frampton,
Bethca,	Furman,
Bellinger,	Garlington,
Bonneau,	Geiger,
Brabham,	Glover,
Brown, A. H.	Goodwin,
Brown, C. P.	Gourdin, R. N.
Burnet,	Gregg, Maxey
Calhoun,	Gregg, William
Caldwell,	Hanckel,
Campbell,	Harrison,
Carn,	Hayne,
Carroll,	Henderson,
Caughman,	Honour,
Cauthen,	Hunter,
Chesnut,	Hutson,
Cheves,	Jackson,
Clarke,	Jefferies,
Crawford,	Jenkins, J. E.
Darby,	Johnson,
Dargan,	Kershaw,
Davis,	Kilgore,
De Saussure,	Kinard,
De Treville,	Kinsler,
Duncan,	Landrum,
Dunkin,	Lewis,
Du Pre,	Logan,
Easley,	Lyles,
Ellis,	McIver,

McKee,	Simpson,
McLeod,	Smyly,
Maxwell,	Smith.
Mazyck,	Snowden,
Means,	Spain,
Middleton, J. Izard	Springs,
Middleton, W.	Stokes,
Moore,	Sims,
Nowell,	Thomson, Thomas
Palmer,	Timmons,
Parker,	Tompkins,
Perrin,	Townsend,
Porcher,	Wannamaker,
Quattlebaum,	Wardlaw, D. L.
Rhett,	Wardlaw, F. H.
Rhodes,	Wier,
Robinson,	Williams,
Rowell,	Wilson, I. D.
Scott,	Wilson, J. H.
Seabrook, G. W., Sr.	Wilson, W. B.
Shingler, J. M.	Withers,
Shingler, W. P.	Woods,
Simons,	Young.

The Journal of yesterday's proceedings was read.

On motion of Mr. Fair, leave of absence was granted to Mr. Moorman, on account of illness in his family.

Mr. A. H. Brown, from the Committee appointed to count the ballots cast for Commissioners to the States of Alabama, Georgia, Mississippi, Louisiana, Arkansas, and Texas, made the following report: That for Commissioner to Alabama, Mr. A. P. Calhoun received 98 votes; scattering, 32; and that Mr. A. P. Calhoun, having received a majority of the ballots cast, was consequently elected;

That for Commissioner to the State of Mississippi, Mr. M. L. Bonham received 102 votes; scattering, 28; and that Mr. Bonham, having received a majority of the ballots cast, was consequently elected;

That for Commissioner to the State of Louisiana, Mr. John L. Manning received 100 votes; scattering, 30; and that Mr. Manning, having received a majority of the ballots cast, was consequently elected;

That for Commissioner to the State of Arkansas, Mr. A. C. Spain received 105 votes; scattering, 25; and that Mr. Spain, having received a majority of the ballots cast, was consequently elected;

That for Commissioner to the State of Georgia, no one had received a majority of the ballots cast, and that consequently there was no election; and

That for Commissioner to the State of Texas, no one had received a majority of the ballots cast, and that consequently there was no election.

Whereupon, the President announced that Mr. A. P. Calhoun is duly elected Commissioner to the State of Alabama; Mr. M. L. Bonham, Commissioner to the State of Mississippi; Mr. John L. Manning, Commissioner to the State of Louisiana; and Mr. A. C. Spain, Commissioner to the State of Arkansas.

On motion of Mr. R. N. Gourdin, the Convention went into

### SECRET SESSION.

Certain despatches were read, and were transmitted to his Excellency, the Governor.

On motion of Mr. Caru, the Convention proceeded to a second ballot for a Commissioner to Georgia and a Commissioner to Texas.

On motion of Mr. Miles, the Hon. M. L. Bonham was excused from serving as a Commissioner to Mississippi.

The Convention proceeded to a second ballot for Commissioner to Mississippi.

The following communication was received from his Excellency, the Governor, and was referred to the Committee on Commercial Relations and Postal Arrangements:

EXECUTIVE DEPARTMENT,  
2 January, 1861.

*To the President and Members of the Convention :*

I have to present to your honorable body that Mr. Pressley, the Assistant Treasurer of the United States, has in-

formed me that drafts are being presented to him for payment of persons in the service of the United States, and desires to know what he shall do: I have directed him not to pay until two o'clock, p. m., this day, in order that you may determine what should be done in the matter. Your decision I shall communicate to him.

F. W. PICKENS.

On motion of Mr. Dunkin, it was

*Resolved*, That the Treasurer, Mr. Pressley, be enjoined from paying any drafts on the Treasury until the further action of this Convention.

Mr. Maxcy Gregg offered the following resolution :

*Resolved*, That if this Convention shall terminate its present session without fixing a time and place for re-assembling, it shall stand adjourned to meet at such time and place as the President shall appoint; and he is hereby authorized, whenever, in his opinion, the public exigencies shall require, by notice under his hand, duly published, to assemble the Convention; and it shall be his duty, before the adjournment, to appoint a Committee, to consist of five members, a majority of whom, or the survivors or survivor of them, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting.

Mr. Gist offered the following amendment :

*Resolved*, That the President of this Convention be authorized, if, in his opinion, the public exigencies shall require it, to assemble the Convention at such time and place as he may determine, before the 17th of December, 1862; and that he shall appoint a Committee of five, a majority of whom, or the survivors or survivor of such majority, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting.



Mr. Cheves offered the following amendment :

*Resolved*, That a Committee of Safety be constituted, to consist of as many members, not less than thirty-three, as shall be assembled after such call of the Convention, to which is hereby committed, with power to act, the consideration of any emergency requiring the immediate action of this Convention.

On motion of Mr. Fair, the resolution and the amendments were made the special order of the day for to-morrow, at one o'clock, p. m.

Mr. Simons presented the Report of the Committee on Engrossed Ordinances; which was considered immediately, and was agreed to.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That five hundred copies of the Report of the Committee on Relations with the Slaveholding States of North America, with the resolutions thereto appended and of the Ordinances which may be adopted, be printed, and that each of the Commissioners to the slaveholding States be furnished with twenty-five copies for his use, and that the residue be distributed among the members of the Convention.

Mr. Quattlebaum, from the Committee on Printing, made the following Report, which was considered immediately, was agreed to, and was ordered to be made public :

The Committee on Printing beg leave to report, that the 15,000 copies of the Address of the People of South Carolina, assembled in Convention, to the people of the Slaveholding States of the United States; the Declaration of the Causes which induce and justify the Secession of South Carolina; and the Report of the Committee on the Address of a portion of the members of the General Assembly of Georgia to the people of South Carolina; ordered to be

printed for the use of this Convention, be disposed of in the following manner: 100 copies to each of the Commissioners to the several States; 20 copies to each member of the Convention and of the General Assembly of South Carolina; 6,000 copies to the "1860 Association"; and the balance distributed under the direction of the Committee on Printing.

Mr. Calhoun, from the Committee appointed to count the ballots cast for Commissioner to Georgia, and for Commissioner to Texas, reported that of the ballots cast for Commissioner to Georgia, Mr. James L. Orr had received a majority; and

Of the ballots cast for Commissioner to Texas, Mr. John McQueen had received a majority.

Whereupon, the President announced that Mr. James L. Orr is duly elected Commissioner to Georgia; and Mr. John McQueen is duly elected Commissioner to Texas.

Mr. Maxey-Gregg offered the following resolutions, which were referred to the Committee on Foreign Relations:

*Resolved*, That it shall be the duty of the Governor to forward copies of the Ordinance to dissolve the Union between the State of South Carolina and other States united with her, under the compact entitled "the Constitution of the United States of America," to all the Ministers of Foreign Powers resident at Washington.

*Resolved*, That it shall be the duty of the Governor to adopt such further measures as may be requisite for making known in foreign countries the separation of the State of South Carolina from the Confederacy of the United States of America.

*Resolved*, That the Governor shall be authorized to apply a sum not exceeding                    dollars to defray the expenses necessary for the above purpose, including the secret service money which may be required.

*Resolved*, That it shall be the duty of the General Assembly to provide and place at the disposal of the Governor the

funds required by the foregoing resolutions, and that these resolutions be accordingly communicated by the President of the Convention to the President of the Senate and the Speaker of the House of Representatives, to be laid before those bodies in secret session.

Mr. Carn, from the Committee appointed to count the ballots cast for Commissioner to Mississippi, reported that no one had received a majority of the ballots cast, and that consequently there was no election.

On motion of Mr. Carn, the Convention proceeded to another ballot for Commissioner to Mississippi.

Mr. Thomas Thomson, from the Committee on Accounts, made a report :

On the account of Horton & Shepherd ;

On the account of Lambert & Howell ;

On the account of J. E. Suares ;

On the account of E. R. Cowperthwait ;

On the account of D. H. Silcox ; and

On the account of Thomas Aimar ; which was considered immediately, and was agreed to.

### SPECIAL ORDER.

On motion of Mr. Carn, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M. :

*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d inst., at four o'clock, P. M.

On motion of Mr. Carn, the special order was discharged, and was made the special order of the day for to-morrow, at one o'clock, P. M.

Mr. Porcher offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee of three be appointed to prepare designs to be submitted to this Convention, from which to select a flag, to be known as the Ensign of the State of South Carolina.

Whereupon, the President appointed the following gentlemen of the Committee :

Messrs. F. J. Porcher,  
R. De Treville,  
B. H. Rutledge.

Mr. Cauthen, from the Committee appointed to count the ballots cast for Commissioner to Mississippi, reported that Mr. Armistead Burt had received a majority of the ballots cast.

Whereupon, the President announced that Mr. Armistead Burt is duly elected Commissioner to Mississippi.

Mr. Campbell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of this Convention be authorized to appoint Commissioners to such of the slaveholding States as may call Conventions during the recess of this body, and to which Commissioners have not been elected, for the same purpose and with the same powers as those already elected ; and that the Governor of this State be requested to issue commissions to such Commissioners in the manner and form of the Commissions directed to be issued to those already appointed.

On motion of Mr. Withers, the Convention was adjourned at half-past one o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

## THURSDAY, JANUARY 3, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by Rev. William Curtis.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Flud,
Appleby,	Forster,
Atkinson,	Foster,
Barron,	Frampton,
Barton,	Furman,
Beaty,	Garlington,
Bethea,	Geiger,
Bellinger,	Gist,
Bobo,	Glover,
Bonneau,	Goodwin,
Brown, A. H.	Gourdin, R. N.
Brown, C. P.	Gourdin, T. L.
Cain,	Gregg, Maxey
Caldwell,	Gregg, William
Campbell,	Grisham,
Carn,	Hammond,
Caughman,	Hanckel,
Charles,	Harlee,
Cheves,	Harrison,
Clarke,	Henderson,
Curtis,	Honour,
Darby,	Hunter,
Dargan,	Hutson,
Davis,	Jackson,
De Saussure,	Jefferies,
De Treville,	Jenkins, John
Dunkin,	Jenkins, J. E.
Du Pre,	Johnson,
Easley,	Kershaw,
Ellis,	Kilgore,
English,	Kinard,
Evans,	Kinsler,
Fair,	Landrum,
Finley,	Lewis,



Lyles,	Seabrook, G. W., Sr.
McIver,	Shingler, J. M.
McKee,	Shingler, W. P.
McLeod,	Simons,
Magrath,	Simpson,
Maxwell,	Smith,
Mazyek,	Snowden,
Means,	Spain,
Memminger,	Springs,
Middleton, J. Izard	Stokes,
Middleton, W.	Sims,
Miles,	Thompson, R. A.
Moore,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Palmer,	Townsend,
Parker,	Wagner,
Perrin,	Wannamaker,
Porcher,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Rainey,	Wier,
Reed,	Williams,
Rhett,	Wilson, J. H.
Rhodes,	Wilson, W. B.
Robinson,	Withers,
Rowell,	Woods,
Rutledge,	Young.
Scott,	

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication :

CHARLESTON, January 1, 1861.

D. F. JAMISON, Esq.,

*President of the Convention*

*of the People of South Carolina :*

SIR: At a regular Monthly Meeting of the St. Andrew's Society of Charleston, held last evening, on motion, it was unanimously agreed, that the gratuitous use of their Hall be granted to the Convention now in session.

I was requested to communicate the same to you.

I remain, sir, your obedient servant,

ROBERT MURE,

*President of St. Andrew's Society of Charleston.*

On motion of Mr. Withers, the thanks of the Convention were returned to the St. Andrew's Society for the use of their Hall, and to the Charleston Delegation for their services in making arrangements for the accommodation of the Convention.

Mr. A. H. Brown offered the following resolution, which, on motion of Mr. D. L. Wardlaw, was ordered to lie on the table :

*Resolved*, That all citizens of the United States, not domiciled in South Carolina at the time of the adoption of the Ordinance of Secession, but owning real estate within its limits, be, and the same are hereby, empowered to hold and to dispose of the same by sale or otherwise, without hinderance or molestation by this Government.

On motion of Mr. Scott, leave of absence was granted to Mr. J. E. Jenkins, on account of illness in his family.

The Convention went into

### SECRET SESSION.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, made the following Report, which was ordered for consideration to-morrow :

The Committee on Commercial Relations and Postal Arrangements, to whom was referred the communication of his Excellency the Governor, in relation to the matter of Mr. Pressley, Assistant Treasurer of the United States, beg leave to Report:

That they have ascertained, on inquiry, that since the passage of the Ordinance in reference to the Customs, no funds have been paid by the Collector to the Assistant Treasurer, but the duties have been deposited in the Treasury of the State of South Carolina. Mr. Pressley has received about four hundred dollars from the Post-office, which, with other funds from the Post-office before re-

ceived, is paid out by him to the railroads and other contractors for carrying the mails. Much of this is already checked for, and his application to the Governor was not in reference to this fund.

But the Assistant Treasurer has other funds in his hands belonging exclusively to the United States. They arise from duties collected in Augusta, (Georgia,) Chattanooga and Knoxville, (Tennessee); from the land office in Alabama; from the mint at Dahlonega, and about \$9,000 in silver received from the mint in Philadelphia. Some of these funds stood to the credit of particular persons (as the Committee understood.) Among them, the sum of \$3,400 was subject to the draft of Major Hutto, Paymaster of the United States; and the inquiry which he had proposed was in relation to drafts on this fund, and was made in consequence of a previous intimation from the Governor.

When the Committee have informed the Convention from what source the funds in the charge of the Assistant Treasurer have been derived, and to whom they belong, the principal duty assigned to the Committee has been discharged, and the Convention have the information which may determine their action. When war has been declared, the public property of an enemy may be confiscated. Cases sometimes arise, and have arisen, which may justify such procedure without a previous declaration of hostilities. These are extreme cases, and must necessarily depend upon the exigency of the occasion to warrant an extraordinary procedure. The communication of the Governor relates to drafts for payment of persons in the service of the United States. Whether it is expedient for the Convention to interfere and stop the payment of these drafts, is a question for their own proper consideration.

The President read to the Convention certain dispatches received from the Commissioners at Washington.

Mr. Quattlebaum offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That in case of the death, resignation, inability

or refusal to serve of any of the Commissioners elected to the several States, the President of this Convention is hereby authorized to fill the vacancy by appointment, if the Convention should not then be in session; and it shall be the duty of the Governor to commission the person so appointed.

Mr. Hutson offered the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That the Convention proceed, forthwith, to ballot for eight Deputies, who shall be authorized to meet in Convention such Deputies as may be appointed by the other slaveholding States who may secede from the Federal Union.

Mr. Harlee informed the Convention that Mr. Logan, the Cashier, and Mr. Pressley, the Deputy Cashier, were absent, in the discharge of military duty; and

On motion of Mr. Harlee, it was

*Resolved*, That the President appoint a Cashier *pro tem.*, and a Deputy Cashier *pro tem.*

Whereupon, the President appointed Mr. F. J. Porcher, Cashier *pro tem.*, and Mr. B. H. Rutledge, Deputy Cashier *pro tem.*

On motion of Mr. Harlee, leave of absence for three days was granted to Mr. Logan and to Mr. Pressley.

Mr. Finley offered the following resolutions, which were made the special order of the day for to-morrow, at eleven o'clock, A. M., and were ordered to be printed:

Whereas, it is expedient that at the earliest practicable period, a Provisional Government should be organized for such of the slaveholding States of the United States of America, as shall secede from the union of said States;

And whereas, it is requisite to this end that prompt



action should be taken on this subject by the Conventions of the seceding States;

And whereas, the plan of a General Convention to set in motion a Provisional Government, may fail to effect the object proposed, either from being unacceptable to the Conventions of the other seceding States, or from the delay incident to said plan of procedure; be it, therefore,

*Resolved*, That it be recommended to each of the Conventions of such of the said States as shall secede previous to the ninth day of February next, to elect at any time between the act of secession and the said ninth day of February, a President and Vice President of the said Provisional Government, one of whom shall not be an inhabitant of the said seceding State; and the persons having a majority of the votes cast in each of said Conventions for the offices of President and Vice President, shall be considered entitled to as many votes for said offices in the Provisional Government as the State thus voting was, while one of the United States, entitled to cast in the election of President and Vice President of the said United States; and that it be also recommended to each of said Conventions to elect, at the same time aforesaid, two Senators, and as many Representatives as the seceding State was entitled to in the Congress of the United States, previous to the act of secession. And that the Senators and Representatives, thus elected, shall assemble at the City of \_\_\_\_\_ in the State of \_\_\_\_\_, on the 13th day of February next, and then and there be organized as the Provisional Congress of the Southern Confederacy, with the Constitution of the United States as a basis for said Provisional Government, so far as the same may be applicable to such a Government. And that it be also recommended to each of the said Conventions to transmit the result of the votes cast for President and Vice-President, in a sealed certificate, signed by the President of the said Convention, to the said Congress, so as to be received by them on the day of their assembling, directed to the President of the Senate and the Speaker of the House of Representatives; and that on the



day following, all of the votes received be counted by them in the presence of the Senate and House of Representatives, in Congress assembled, and the result declared. And the persons having the greatest number of votes for President and Vice-President, shall be the President and Vice-President of the said Provisional Government, if such number be a majority of the whole number of votes cast; and if no persons have such majority, then the election for said offices shall be made and conducted by the Senate or House of Representatives, as the case may be, in like manner as is prescribed in the said Constitution of the United States for the offices of President and Vice-President of the said United States; and the persons elected to said offices, either by the said Conventions or by the Congress of the Southern Confederacy, shall hold the said offices during the period for which the said Provisional Government shall continue to exist, and no longer.

### SPECIAL ORDER.

The Convention proceeded to the consideration of the various resolutions in relation to the adjournment and re-assembling of the Convention, which had been made the special order of the day, for this day, at one o'clock, P. M.

Mr. Gist withdrew his amendment.

Mr. Cheves offered the following amendment:

*Resolved*, That from the — day of January to the — day of the same, — members shall constitute a quorum.

*Resolved*, That such quorum, when consisting of less than a majority of the whole, ought not to act upon any matter not imperatively demanding action.

On motion, the amendments offered by Mr. Cheves were ordered to lie on the table.

Mr. Mazyek offered the following amendment, which, on motion of Mr. Smyly, was ordered to lie on the table:

“And the call for a meeting of the Convention shall be published in the daily newspapers of Charleston and Co-

lumbia, at least five days before the time appointed for such meeting."

The resolutions offered by Mr. Gregg were agreed to.

### SPECIAL ORDER.

On motion of Mr. Carn, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day for this day, at one o'clock, P. M.

*Resolved*, That this Convention do adjourn, subject to the call of the President, on Wednesday next, the 2d inst., at four o'clock, P. M.

On motion of Mr. Carn, the resolution was ordered to lie on the table; and

Mr. Carn offered the following resolutions:

*Resolved*, That the President of this Convention is hereby authorized to issue bills, payable at the Bank of the State, providing for the payment of the *per diem* and mileage fees of the members of this Convention, at the same rate allowed to the members of the Legislature.

*Resolved*, That this Convention adjourn at four o'clock, P. M., on Friday next, the 4th inst., until such time as it may be convened by order of the President, or the Committee appointed for that purpose, in case of his death or disqualification.

Mr. Perrin offered the following amendment to the second resolution:

Strike out all after the word "until" and insert "to meet at this place Wednesday, the 23d inst., at twelve o'clock, M., unless called together by the President at an earlier day.

On motion, the resolutions and the amendment were ordered to lie on the table.

On motion, the Convention was adjourned.

B. F. ARTHUR,  
*Clerk of the Convention.*

## FRIDAY, JANUARY 4, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. J. Wannamaker.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,	Forster,
Appleby,	Foster,
Atkinson,	Furman,
Barron,	Garlington,
Barton,	Geiger,
Beaty,	Glover,
Bellinger,	Goodwin,
Bobo,	Gourdin, R. N.
Bonneau,	Gourdin, T. L.
Brown, A. H.	Grisham,
Burnet,	Hanckel,
Calhoun,	Harlee,
Caldwell,	Harrison,
Campbell,	Hayne,
Carn,	Henderson,
Carroll,	Honour,
Caughman,	Hopkins,
Chesnut,	Hunter,
Cheves,	Hutson,
Clarke,	Inglis,
Curtis,	Jackson,
Darby,	Jefferies,
Dargan,	Jenkins, John
Davis,	Johnson,
De Saussure,	Keitt,
Duncan,	Kershaw,
Dunkin,	Kilgore,
Du Pre,	Kinard,
Ellis,	Kinsler,
English,	Landrum,
Evans,	Lawton,
Fair,	Lewis,
Finley,	McIver,
Flud,	McKee,

McLeod,	Simons,
Maxwell,	Simpson,
Mazyek,	Smyly,
Means,	Smith,
Memminger,	Spain,
Middleton, J. Izard	Springs,
Middleton, W.	Stokes,
Moore,	Sims,
Nowell,	Thompson, R. A.
Palmer,	Thomson, Thomas
Parker,	Timmons,
Perrin,	Tompkins,
Porcher,	Wannamaker,
Quattlebaum,	Wardlaw, D. L.
Rainey,	Wardlaw, F. H.
Reed,	Wier,
Rhett,	Williams,
Rhodes,	Wilson, I. D.
Rutledge,	Wilson, J. H.
Scott,	Wilson, W. B.
Seabrook, E. M.	Withers,
Seabrook, G. W., Sr.	Woods,
Shingler, J. M.	Young.
Shingler, W. P.	

The Journal of yesterday's proceedings was read.

The President announced the following Committee to call together the Convention in the event of the death or disqualification of the President:

Messrs. B. F. Dunkin,  
D. L. Wardlaw,  
R. W. Barnwell,  
R. B. Rhett,  
W. W. Harllee.

On motion of Mr. Dunkin, the Convention went into

### SECRET SESSION.

The President read to the Convention certain despatches, which, on motion, were communicated to his Excellency the Governor.

## GENERAL ORDERS.

The Report of the Committee on Commercial Relations and Postal Arrangements, on a communication from his Excellency the Governor, in relation to drafts on the Treasury, was taken up.

Mr. Mazyek offered the following resolution :

*Resolved*, That Mr. B. C. Pressley, late Assistant Treasurer of the United States, at Charleston, be, and he is hereby instructed and required to retain in his hands and possession, until the further order of this Convention, all money received by him on account of the United States before the withdrawal of this State from the Federal Union: Provided, that this order shall not extend to money received from Post-masters, which he shall be authorized to pay to mail contractors in South Carolina, on account of their contracts.

Mr. Withers offered the following amendment, which was accepted by the mover of the resolution :

Whereas, it appears that certain funds are in the custody of B. C. Pressley, Esq., Assistant Treasurer of the United States, which do belong to that power; but, in consideration that the position of the United States towards South Carolina is equivocal, seeming, however, to this Convention, to wear the aspect of hostility rather than of peace: *Resolved, therefore*, that the said sub-Treasurer be directed to hold such funds, subject to the further order of this Convention, to the end, that a proper account for said funds will be made by this State, in connection with other property of the said United States in possession of this State, upon a future final settlement, with the said United States.

On motion, the resolution and amendment were ordered to lie on the table.

Mr. Dunkin offered the following resolution, which was



agreed to, and was transmitted to his Excellency the Governor.

*Resolved*, That the interdict on the Assistant Treasurer in relation to drafts on funds in his hands be removed.

The Report of the Committee was ordered to lie on the table.

### SPECIAL ORDER.

On motion of Mr. Finley, the Convention proceeded to the consideration of the following resolutions, which had been made the special order of the day for this day, at one o'clock, P. M.

Whereas, it is expedient that at the earliest practicable period, a Provisional Government should be organized for such of the slaveholding States of the United States of America, as shall secede from the Union of said States ;

And, whereas, it is requisite, to this end, that prompt action should be taken on this subject by the Conventions of the seceding States ;

And, whereas, the plan of a General Convention, to set in motion a Provisional Government, may fail to effect the object proposed, either from being unacceptable to the Conventions of the other seceding States, or from the delay incident to said plan of procedure ; be it therefore

*Resolved*, That it be recommended to each of the Conventions of such of the said States as shall secede previous to the 9th day of February next, to elect, at any time between the act of secession and the said 9th day of February, a President and Vice President of the said Provisional Government, one of whom shall not be an inhabitant of the said seceding State ; and the persons having a majority of the votes cast in each of said Conventions, for the offices of President and Vice-President, shall be considered entitled to as many votes for said offices in the Provisional Government, as the State thus voting was,

while one of the United States, entitled to cast in the election of President and Vice-President of the said United States; and that it be also recommended to each of said Conventions, to elect at the same time aforesaid two Senators, and as many Representatives, as the seceding State was entitled to in the Congress of the United States, previous to the act of secession. And that the Senators and Representatives thus elected shall assemble at the City of \_\_\_\_\_ in the State of \_\_\_\_\_ on the 13th day of February next, and then and there be organized as the Provisional Congress of the Southern Confederacy, with the Constitution of the United States as a basis for said Provisional Government, so far as the same may be applicable to such a Government; and that it be also recommended to each of the said Conventions, to transmit the result of the votes cast for President and Vice-President, in a sealed certificate, signed by the President of the said Convention to the said Congress, so as to be received by them on the day of their assembling, directed to the President of the Senate and Speaker of the House of Representatives; and that on the day following, all of the votes received be counted by them, in the presence of the Senate and House of Representatives, in Congress assembled, and the result declared; and the persons having the greatest number of votes for President and Vice-President, shall be the President and Vice-President of the said Provisional Government, if such number be a majority of the whole number of votes cast; and if no persons have such majority, then the election for said offices shall be made and conducted by the Senate or House of Representatives, as the case may be, in like manner as is prescribed in the said Constitution of the United States, for the offices of President and Vice President of the said United States; and the persons elected to said offices, either by the said Conventions, or by the Congress of the Southern Confederacy, shall hold the said offices during the period for which the said Provisional Government shall continue to exist and no longer.

On motion of Mr. Pope, the resolutions were ordered to lie on the table.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to.

The Committee on Engrossed Ordinances would respectfully report, that "the declaration of the immediate causes which induce and justify the secession of the State of South Carolina from the Federal Union," has been duly engrossed and enrolled, and having been signed by the President, and attested by the Clerk of the Convention, and the seal of the State attached thereto, has been deposited in the office of the Secretary of State.

Your Committee would further report, that they have authorized the Secretary of State to procure a suitable box for the proper security and preservation of the various Ordinances, Reports and Resolutions, which have been adopted, and directed to be engrossed by the Convention.

Mr. Thomas Thomson presented the Report of the Committee on Accounts, on the account of A. J. Burke, for stationery; which was considered immediately, and was agreed to.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to.

*Resolved*, That the Committee of Arrangements, from the Delegation of St. Philip and St. Michael, be requested to take in charge for safe keeping the various articles purchased by the Convention for its use, until the further order of the same.

#### GENERAL ORDERS.

The following resolution was agreed to :

*Resolved*, That the Convention proceed forthwith to ballot for eight Deputies, who shall be authorized to meet in Convention such Deputies as may be appointed by the other

slaveholding States, who may secede from the Federal Union.

Whereupon, the Convention proceeded to ballot for eight Deputies, provided for in the foregoing resolution.

Mr. Miles, from the Committee on Foreign Relations, made the following report, which was considered immediately, and was agreed to :

The Committee on Foreign Relations, to whom were referred certain resolutions, directing the Governor to make known to Foreign Powers the separation of South Carolina from the Confederacy of the United States of America, beg leave to report : That they have considered the same, and recommend for their adoption, with the following amendment to the first resolution : After the words " United States of America," insert the following : " and of the two Addresses setting forth the causes of the withdrawal of South Carolina from the Confederacy of the United States."

Mr. Miles, from the Committee on Foreign Relations, made the following report, which was considered immediately, and was agreed to :

The Committee on Foreign Relations, to whom was referred the Ordinance empowering the Governor of South Carolina, in certain contingencies, to issue letters of marque and reprisal, beg leave to report : That they have duly considered the subject committed to them, and deem it inexpedient that this Convention should take any immediate action thereon.

Mr. F. H. Wardlaw offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That upon any adjournment or recess of this Convention, the General Assembly, if in session, be vested with full power to take care that the Commonwealth receive no detriment.

On motion of Mr. McIver, business was suspended at forty-five minutes past one o'clock, P. M., until seven o'clock, P. M.



## RECESS.

The President resumed the chair.

Mr. Cheves, from the Committee appointed to count the ballots cast for deputies, reported, that Mr. R. B. Rhett received 92 votes; Mr. R. W. Barnwell, 78 votes; Mr. C. G. Memminger, 66 votes; Mr. W. P. Miles, 61 votes, and Mr. James Chesnut, Jr., 68 votes.

And that Messrs. R. B. Rhett, R. W. Barnwell, C. G. Memminger, W. P. Miles and James Chesnut, Jr., having received, respectively, a majority of the ballots cast, were consequently elected.

On motion of Mr. Chesnut, the Convention proceeded to a second ballot for Deputies.

Mr. Quattlebaum presented the Report of the Committee on Printing, on a Resolution providing for having photographed the Ordinance of Secession; which was ordered for consideration to-morrow.

On motion of Mr. Chesnut, the Convention went into

## SECRET SESSION.

Mr. R. W. Barnwell, Mr. J. H. Adams, and Mr. J. L. Orr, Commissioners to Washington, attended, and reported to the Convention the result of their mission, together with their correspondence with the President of the United States.

Mr. Means offered the following resolutions:

*Resolved*, That the thanks of this Convention are due, and are hereby given to our Commissioners for the able and faithful manner in which they have discharged their trust.

*Resolved*, That five thousand copies of their correspondence with the President be printed for general distribution.

Mr. Furman offered the following amendment to the first resolution:



*Resolved*, That this Convention is profoundly sensible of the wisdom and fidelity which have characterized the performance of the high functions with which the Commissioners to Washington were charged by this body.

The amendment was agreed to ; and the Resolutions, as amended, were agreed to.

Mr. Mazyck offered the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That in consideration of the very important aid rendered to our Commissioners in advancing the object of their mission, by William H. Trescott, Esquire, the Convention include him in the expression of their profound sense of the meritorious services of the Commission, and place him in all respects on the same footing as one of the Commissioners.

Mr. Curtis, from the Committee appointed to count the ballots cast for Deputies to a Convention of the seceding States, reported, that Mr. L. M. Keitt, Mr. T. J. Withers, and Mr. W. W. Boyce, had respectively received a majority of the ballots cast.

Whereupon, the President announced that Mr. L. M. Keitt, Mr. T. J. Withers, and Mr. W. W. Boyce are duly elected.

On motion, the injunction of secrecy was removed from the Report of the Commissioners to Washington, except so much thereof as relates to their conversations with the President.

Mr. Kershaw offered the following resolution, which was considered immediately, and was agreed to ; and a copy thereof was sent to his Excellency the Governor :

*Resolved*, That in referring to the Governor and Council for their action, certain resolutions providing for calling into service volunteer companies for a limited time, it was not intended by this Convention, thereby to abrogate or impair the operation of the recent Act of the General As-

sembly, entitled, "An Act to provide an Armed Military Force."

On motion of Mr. Pope, leave of absence was granted to Mr. Barnwell.

Mr. Bobo offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of this Convention be authorized to draw warrants, countersigned by the Cashier, upon the Treasurer of the Lower Division, for the *per diem* and mileage of the members of this Convention, at the same rates as are allowed members of the General Assembly.

Mr. D. L. Wardlaw offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That Messrs. Keitt and Miles, two of our late Representatives in the Congress of the United States, be requested to prepare for publication a paper, setting forth exactly the understanding which subsisted between them and the President of the United States, and the circumstances which attended the forming of that understanding.

Mr. Campbell offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That this Convention will adjourn to-morrow, to meet at such time and place as it may be convened by the President, under the provisions of the Resolutions already passed.

On motion of Mr. Withers, the Convention was adjourned at forty-five minutes past ten o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

## SATURDAY, JANUARY 5, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. M. Timmons.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Finley,
Appleby,	Flud,
Ayer,	Forster,
Barron,	Foster,
Barton,	Furman,
Beaty,	Garlington,
Bethea,	Geiger,
Bellinger,	Gist,
Bobo,	Goodwin,
Bonneau,	Gourdin, R. N.
Brabham,	Gourdin, T. L.
Brown, A. H.	Haackel,
Brown, C. P.	Harlee,
Burnet,	Harrison,
Cain,	Hayne,
Caldwell,	Henderson,
Campbell,	Honour,
Carr,	Hopkins,
Carroll,	Hutson,
Caughman,	Inglis,
Chesnut,	Ingram,
Cheves,	Jackson,
Clarke,	Jefferies,
Curtis,	Jenkins, John
Darby,	Johnson,
Dargan,	Keitt,
De Saussure,	Kershaw,
De Treville,	Kilgore,
Dunkin,	Kinard,
Du Pre,	Kinsler,
Ellis,	Lawton,
English,	Lewis,
Evans,	Lyles,
Fair,	McCrady,

McIver,	Simpson,
McKee,	Smyly,
McLeod,	Smith,
Maxwell,	Snowden,
Mazyek,	Spain,
Middleton, J. Izard	Springs,
Middleton, W.	Stokes,
Moore,	Sims,
Noble,	Thomson, Thomas
Nowell,	Timmons,
O'Hear,	Tompkins,
Palmer,	Townsend,
Parker,	Wagner,
Perrin,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Rainey,	Wier,
Reed,	Williams,
Rowell,	Wilson, J. H.
Rutledge,	Wilson, W. B.
Scott,	Withers,
Seabrook, G. W., Sr.	Woods,
Shingler, J. M.	Young.
Shingler, W. P.	

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following despatch:

“NEW ORLEANS, January 3, 1861.

To D. F. JAMISON, *President of the Convention*:

New Orleans fully sympathises with Charleston in the perils to which she is exposed, and will not fail to support her when the occasion demands action.

JOHN T. MUNROE, *Mayor*.”

The President laid before the Convention the following communication:

“January 2, 1861.

Hon. D. F. JAMISON, *President of the Convention*:

SIR: Rev. Henry D. Green, a member of the Convention, now at home on leave of absence, is prevented by sickness from resuming at present his seat in that body.

As his attending physician, I would say that his return just now would be highly improper. He asks that the Convention will excuse him until his health improves.

Very respectfully,

H. D. GREEN."

On motion of Mr. Spain, Mr. Green was excused, in compliance with his request.

Mr. Hutson presented an Ordinance to vest in the General Assembly the power to establish Postal Arrangements; which was considered immediately, was agreed to, and was ordered to be signed by the President and the Clerk.

On motion of Mr. Hutson, the Ordinance was committed to the Engrossing Committee.

Mr. Keitt offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That no officers in any forces, regular or volunteer, raised under order of this Convention, shall, by reason of anything in the Constitution of the State, be disqualified from holding a seat in either House of the General Assembly, or any other office in the State to which he has been, or shall be, appointed.

On motion of Mr. Quattlebaum, Mr. A. Burt, Commissioner to Mississippi, and Mr. A. P. Calhoun, Commissioner to Alabama, were invited to seats on the floor of the Convention.

Mr. Curtis offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That our late Commissioners to Washington be requested to prepare a written statement of the oral communications, to this body, connected with their recent attempts at negotiation with the President of the United States, for the delivery of the forts and other State property, and that said document be deposited with the President of this body, under the injunction of secrecy, until otherwise ordered by this body.



Mr. Quattlebaum, from the Committee on Printing, presented the following report; which was considered immediately, and was agreed to:

“That they have placed in the hands of the Printers of the Convention, the correspondence between the Commissioners of South Carolina and the President of the United States, of which correspondence five thousand copies have been ordered to be printed for the use of the Convention. The Committee recommend that each member of the Convention be allowed twenty copies, and that the balance be distributed under the direction of the Committee.”

They further recommend, that the manuscript be returned by the printer to the Clerk of the Convention, as soon as possible, to be transcribed on his Journal, and then deposited in the Secretary of State's office, with the several Ordinances of this Convention.

Mr. R. N. Gourdin offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That the table, chair, and appurtenances used in Secession Hall on the evening of the 20th December, 1860, for the signature of the Ordinance of Secession, be deposited, with a memorandum of the same, after the final adjournment of the Convention, in the Legislative Library in the State House in Columbia.

Mr. Thomas Thomson offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Clerk, Messenger, Door-keeper, and Engrossing clerks of this Convention, receive, severally, as compensation for their services to this day, the same rate of payment in proportion to the time they have served, as is allowed the same officers of the House of Representatives of this State; and the President of the Convention is authorized and directed to issue his warrants upon the Treasury, in the manner already directed, for payment of said officers.

Mr. Porcher presented the accounts of J. L. Barnwell, of F. L. Schouboe, and of P. Brady, for articles furnished, and services rendered, to the Convention; which were severally referred to the Committee on Accounts.

On motion of Mr. D. L. Wardlaw, it was

*Resolved*, That our late Representatives in the Congress of the United States, have leave to print the paper, which they were, by resolution of this Convention, requested to prepare, if, in their opinion, it shall become necessary.

On motion of Mr. Spain, the Convention was adjourned at eleven o'clock, A. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



## PROCLAMATION.

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### STATE OF SOUTH CAROLINA:

*Know all Men by these Presents*, That I, DAVID F. JAMISON, President of the Convention of the People of South Carolina, assembled pursuant to an Act of the General Assembly, passed on the ninth day of November, in the year of our Lord one thousand eight hundred and sixty, and which adjourned on the fifth day of January, one thousand eight hundred and sixty-one, by virtue of the authority vested in me by the said Convention, do hereby convoke the same, and by these presents do herewith summon the members of said Convention to re-assemble at Charleston, in the State aforesaid, at twelve o'clock, M., on the twenty-sixth day of March, inst.

Given under my hand and seal, at Charleston, this thirteenth day of March, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighth-fifth year of the sovereignty and independence of the State of South Carolina.

D. F. JAMISON,  
*President of the Convention of the  
People of South Carolina.*

Attest: B. F. ARTHUR, *Clerk.*





JOURNAL  
OF THE  
CONVENTION OF 1860—1861.

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TUESDAY, MARCH 26, 1861.

Pursuant to the Proclamation of the President of the Convention, issued on the thirteenth day of March, one thousand eight hundred and sixty-one, the Convention of the People of South Carolina re-assembled in St. Andrew's Hall, in the City of Charleston, on this day, at twelve o'clock, M.

The President took the Chair, and addressed the Convention as follows:

*Gentlemen:* Acting under a resolution of the Convention, authorizing your presiding officer to re-assemble this body at such time and place as he might appoint, I have fixed this place, from whence the Convention adjourned, and the earliest practicable moment, for your meeting.

The chief object in calling you together, at this time, is to consider the Constitution of the Confederate States of America, which has been adopted and submitted to us by the Congress at Montgomery, with such other questions as the exigencies of our situation may require.

The President also stated, that under another resolution of the Convention, authorizing the President to appoint

the officers of this body, he had appointed D. W. Davis, Messenger, and F. L. Schouboe, Door-keeper, for the Convention.

The proceedings were opened with prayer by Rev. J. G. Landrum; after which, the Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,	Du Pre,
Allison,	Easley,
Appleby,	Ellis,
Atkinson,	English,
Ayer,	Evans,
Barnwell,	Fair,
Barron,	Flud,
Barton,	Forster,
Beaty,	Foster,
Bethea,	Frampton,
Bellinger,	Furman,
Bobo,	Garlington,
Bonneau,	Geiger,
Brabham,	Gist,
Brown, A. H.	Glover,
Brown, C. P.	Goodwin,
Buchanan,	Gourdin, R. N.
Burnet,	Gourdin, T. L.
Cain,	Green,
Calhoun,	Gregg, Maxey
Carn,	Gregg, William
Carlisle,	Grisham,
Carroll,	Hammond,
Cauthen,	Hanckel,
Charles,	Harlee,
Chesnut,	Harrison,
Cheves,	Hayne,
Clarke,	Henderson,
Darby,	Honour,
Davant,	Hopkins,
De Saussure,	Hunter,
De Treville,	Hutson,
Duncan,	Inglis,
Dunkin,	Ingram,
Dunovant, A. Q.	Jefferies,
Dunovant, R. G. M.	Jenkins, John

Jenkins, J. E.	Rhett,
Johnson,	Rhodes,
Kershaw,	Richardson, F. D.
Kilgore,	Rowell,
Kinard,	Scott,
Kinsler,	Seabrook, E. M.
Landrum,	Seabrook, G. W., Sr.
Lewis,	Shingler, J. M.
Logan,	Shingler, W. P.
Lyles,	Simons,
McIver,	Simpson,
McKee,	Smyly,
Magrath,	Smith,
Manigault,	Snowden,
Manning,	Spain,
Mauldin,	Spratt,
Maxwell,	Springs,
Mayes,	Stokes,
Mazyck,	Sims,
Means,	Thompson, R. A.
Middleton, J. Izard	Timmons,
Middleton, W.	Tompkins,
Miles,	Townsend,
Moore,	Wagner,
Moorman,	Wannamaker,
Noble,	Wardlaw, D. L.
Nowell,	Wardlaw, F. H.
O'Hear,	Watts,
Palmer,	Wier,
Parker,	Whitner,
Perrin,	Williams,
Pope,	Wilson, I. D.
Porcher,	Wilson, J. H.
Pressley,	Wilson, W. B.
Quattlebaum,	Withers.
Rainey,	Woods,
Reed,	Young.

The Clerk read the Journal of the last day of the last session.

The President laid before the Convention the following communication :

CONVENTION OF THE CONFEDERATE STATES OF AMERICA,  
*Montgomery, Alabama, March 12, 1861.*

HON. D. F. JAMISON, *Charleston:*

SIR: I herewith transmit to you, a certified copy of the Constitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the Convention, to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States, in adopting a Constitution upon the general principles of the Constitution of the United States. The departures from the provisions of that instrument have been suggested by the experience of the past, and are intended to guard against the evil and dangers which led to the dissolution of the late Union. This Constitution is now submitted, with confidence, to the State Conventions for their action.

Respectfully,

HOWELL COBB,  
*President of the Convention C. S. A.*

On motion of Mr. Rhett, it was

*Ordered*, That the communication be entered on the Journal, and that five hundred copies of the communication and of the Constitution be printed.

The President laid before the Convention the following communication; which, on motion of Mr. Quattlebaum, was ordered to be entered on the Journal:

SOUTH CAROLINA, ABBEVILLE, February, 1861.

HONORABLE D. F. JAMISON, *President:*

I have the honor to acquaint the Convention of the people of the State of South Carolina, that on receiving my credentials, as Commissioner to the Convention of Mississippi, I proceeded immediately to the Capital of that State,

and made known to the Convention the objects of my mission.

Among the results of that Convention, were the Ordinance of Secession by that State, and certain resolutions; and these, in compliance with the request of the Convention, I transmitted to the Executive authority of this State.

The action of the Convention of the State of Mississippi was prompt and fraternal, and is a noble response to South Carolina—worthy of a great cause and a gallant people. It is due to the lofty heroism displayed by the State of Mississippi, that it be remembered she was the first of the sisterhood of Southern States to recognize the Sovereignty and Independence of the State of South Carolina, and the first to rush to her aid in her perilous struggle for the preservation and maintenance of the inestimable rights of the whole South.

With high consideration,

I have the honor to be

Your obedient servant,

ARMISTEAD BURT.

Mr. W. P. Shingler offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That it is the sense of this Convention, that all supplies of provisions and mail facilities, now allowed Major Anderson and the garrison at Fort Sumter, should be immediately cut off.

Mr. A. H. Brown offered the following resolution, which was ordered for consideration to-morrow, and to be printed:

*Resolved*, That the People of South Carolina, in Convention assembled, cordially approve the election of Jefferson Davis to the Presidency, and Alexander H. Stephens to the Vice Presidency, of the Provisional Government of the Confederate States of America; and have entire confidence



in their experience, patriotism and ability to shape and guide the destinies of the new Republic.

Mr. Mazyck offered the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That after printed copies of the Articles agreed upon by the Convention at Montgomery as the Constitution of the Confederate States of America, shall have been furnished to the members of this Convention, any amendments which may be offered shall be considered in the order in which they are proposed.

Mr. Simons offered the following Ordinance, which was referred to the Committee on the Constitution of the State:

An Ordinance declaratory of the true construction of an Ordinance entitled "An Ordinance concerning citizenship."

*Whereas*, doubts have arisen whether, under the terms of the "Ordinance concerning Citizenship," passed on the first day of January, in the year of our Lord one thousand eight hundred and sixty-one, are included those persons who were, at the date of the Ordinance of Secession, citizens of the State of South Carolina, but residing without the limits of the said State;

Now, therefore, we, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that all persons who were citizens of the State of South Carolina, at the date of the Ordinance of Secession, to wit: on the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty, though not resident therein, are hereby declared to be, and to continue, citizens of the said State, until they shall have renounced their allegiance thereto.

Mr. Manigault offered the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That the Constitution of the United States,

adopted in 1789, be printed in parallel columns with the Constitution adopted by the Congress at Montgomery.

On motion of Mr. Adams, the resolution to print the Constitution of the Confederate States of America was re-considered ; and

Mr. Adams offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Constitution of the United States, adopted in 1789, be printed in parallel columns with the Constitution adopted by the Congress at Montgomery.

Mr. Magrath offered the following resolutions, which were seconded by Mr. Dunkin and *unanimously* agreed to :

*Resolved*, That this Convention receives, with deep regret, the intelligence of the death of Henry W. Conner, late one of its members.

*Resolved*, That in the enlightened enterprise and patriotic devotion of Henry W. Conner, the State of South Carolina has recognized the qualities which have contributed to advance her material prosperity, and sustain her political independence.

*Resolved*, That the Secretary of this Convention communicate these resolutions to the family of the deceased.

Mr. I. D. Wilson offered the following resolutions, which were *unanimously* agreed to :

*Resolved*, That this Convention have heard, with deep sensibility, of the death of Julius A. Dargan, a member of this Convention.

*Resolved*, That we unite in sympathy with the family, to whom a copy of these resolutions be sent.

On motion of Mr. Withers, and as a further mark of respect to the memory of the deceased, the Convention was adjourned, to meet to-morrow, at twelve o'clock, M.

B. F. ARTHUR,  
*Clerk of the Convention.*

WEDNESDAY, MARCH 27, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by Rev. J. C. Furman.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,	De Treville,
Allison,	Duncan,
Appleby,	Dunkin,
Atkinson,	Dunovant, A. Q.
Ayer,	Dunovant, R. G. M.
Barnwell,	Du Pre,
Barron,	English,
Barton,	Evans,
Beaty,	Fair,
Bethea,	Flud,
Bellinger,	Forster,
Bobo,	Foster,
Bonneau,	Frampton,
Brabham,	Furman,
Brown, A. H.	Gadberry,
Brown, C. P.	Garlington,
Burnet,	Geiger,
Calhoun,	Gist,
Caldwell,	Glover,
Campbell,	Goodwin,
Carn,	Gourdin, R. N.
Carlisle,	Gourdin, T. L.
Carroll,	Green,
Caughman,	Gregg, Maxey
Caithen,	Gregg, William
Charles,	Grisham,
Chesnut,	Hammond,
Cheves,	Hanckel,
Clarke,	Harlee,
Crawford,	Harrison,
Darby,	Hayne,
Davaat,	Henderson,
Davis,	Honour,
De Saussure,	Hopkins,

Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Maxwell,  
Mayes,  
Mazyek,  
Means,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Pressley,  
Quattlebaum,

Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wagner,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Whitner,  
Williams,  
Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.

Mr. Rhett read to the Convention a resolution adopted by the Congress of the Confederate States, at Montgomery; and

Mr. Rhett offered the following resolution :

*Resolved*, That when the Constitution of the Confederate States is taken up for consideration, it shall be considered in secret session; and the President of the Convention is hereby authorized and required to employ two competent stenographers to report the debates and proceedings which shall take place on said Constitution.

Pending the discussion thereof by Mr. Maxcy Gregg, Mr. E. M. Seabrook rose to a question of order.

The President decided the discussion in order.

Whereupon, Mr. Barnwell appealed from the decision of the President; and, the question being put, will the Convention sustain the decision of the Chair? it passed in the negative:

Yeas, 39; nays, 119.

The yeas and nays were demanded and are as follows:  
Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Kinsler,
Allison,	McLeod,
Appleby,	Manigault,
Atkinson,	Mazyck,
Bonneau,	Middleton, J. Izard
Brabham,	Middleton, W.
Brown, C. P.	Moore,
Burnet,	Nowell,
Calhoun,	O'Hear,
Caldwell,	Rutledge,
Clarke,	Scott,
Darby,	Shingler, J. M.
Evans,	Simons,
Flud,	Smith,
Gregg, Maxcy	Snowden,
Henderson,	Spratt,
Jenkins, John	Wagner,
Jenkins, J. E.	Wardlaw, F. H.
Kershaw,	Williams,



Those who voted in the negative are:

Messrs. Ayer,	Gourdin, T. L.
Barnwell,	Green,
Barron,	Gregg, William
Barton,	Grisham,
Beaty,	Hammond,
Bethea,	Hanckel,
Bobo,	Harlee,
Brown, A. H.	Harrison,
Cain,	Hayne,
Campbell,	Honour,
Carn,	Hopkins,
Carlisle,	Hunter,
Carroll,	Hutson,
Caughman,	Inglis,
Cauthen,	Ingram,
Charles,	Jackson,
Chesnut,	Jefferies,
Cheves,	Johnson,
Crawford,	Keitt,
Davant,	Kilgore,
Davis,	Kinard,
De Saussure,	Landrum,
De Treville,	Lewis,
Duncan,	Logan,
Dunkin,	Lyles,
Dunovant, A. Q.	McCrady,
Dunovant, R. G. M.	McIver,
Du Pre,	McKee,
Easley,	Magrath,
Ellis,	Manning,
English,	Maxwell,
Fair,	Mayes,
Forster,	Means,
Foster,	Miles,
Frampton,	Moorman,
Furman,	Noble,
Gadberry,	Orr,
Garlington,	Palmer,
Geiger,	Parker,
Gist,	Perrin,
Glover,	Pope,
Goodwin,	Porcher,
Gourdin, R. N.	Pressley,

Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, W. P.  
 Simpson,  
 Smyly,  
 Spain,  
 Springs,  
 Stokes,

Sims,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Wier,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Mr. John Izard Middleton, offered the following amendment, which, on motion of Mr. Reed, was ordered to lie on the table:

*Resolved*, That our Delegates to Montgomery be heard in secret session in relation to the discussions on the subject of the Constitution for the Confederate States of America.

On motion of Mr. Fair, the resolution was amended by striking out the words: "and the President of the Convention is hereby authorized and required to employ two competent stenographers to report the debates and proceedings which shall take place on said Constitution."

The question being put, will the Convention agree to the resolution? it passed in the affirmative:

Yeas, 129; nays, 29.

The yeas and nays were demanded, and are as follows:  
 Those who voted in the affirmative are:

Hon. D. F. JAMISON, <i>President</i> ; and	
Messrs. Allison,	Barnwell,
Atkinson,	Barron,
Ayer,	Barton,

Beaty,  
Betha,  
Bellinger,  
Bobo,  
Brabham,  
Brown, A. H.  
Cain,  
Calhoun,  
Caldwell,  
Campbell,  
Carn,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Clarke,  
Crawford,  
Davis,  
De Saussure,  
De Treville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Dunovant, R. G. M.  
Du Pre,  
Easley,  
Ellis,  
English,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Gadberry,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,

Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Ingles,  
Ingram,  
Jackson,  
Jefferies,  
Johnson,  
Keitt,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,

Rhett,	Thompson, R. A.
Rhodes,	Thomson, Thomas
Richardson, J. P.	Timmons,
Robinson,	Tompkins,
Rowell,	Townsend,
Scott,	Wannamaker,
Seabrook, E. M.	Wardlaw, D. L.
Sessions,	Watts,
Shingler, J. M.	Wier,
Shingler, W. P.	Whitner,
Simpson,	Wilson, I. D.
Smyly,	Wilson, J. H.
Snowden,	Wilson, W. B.
Springs,	Withers,
Stokes,	Woods,
Sims,	Young.

Those who voted in the negative are :

Messrs. Adams,	Manigault,
Bonneau,	Mazyck,
Brown, C. P.	Middleton, J. Izard
Burnet,	Middleton, W.
Darby,	Pressley,
Davant,	Richardson, F. D.
Evans,	Rutledge,
Gist,	Simons,
Gregg, Maxey	Smith,
Henderson,	Spain,
Hutson,	Spratt,
Jenkins, John	Wagner,
Jenkins, J. E.	Wardlaw, F. H.
Kinsler,	Williams.
McIver,	

So the resolution was agreed to.

Mr. James Conner, Delegate from St. Philip's and St. Michael's, elected to fill the vacancy occasioned by the death of Mr. H. W. Conner, appeared at the Clerk's desk, produced his credentials, signed the roll, and took his seat.

The President laid before the Convention the following communications, which were severally ordered to be entered on the Journal :

CHARLESTON, March 27, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of S. C. :*

DEAR SIR: Having been honored, on the 1st January last, with an appointment to present to the people of Florida, in Convention assembled, a copy of the Ordinance of Secession, and of a plan for a Provisional Government, adopted by this Convention, I have the honor to report :

That I started at once upon my mission, and arriving at Tallahassee, Florida, where the Convention was then in session, and exhibiting my credentials, I was invited to appear before the Convention, and deliver my communications. This invitation was complied with, as soon as I was advised of the readiness to receive me, and I have the pleasure to report that I was heard with respect. That soon thereafter, the Convention adopted an Ordinance of Secession, and concurred with this Convention in the plan for a Provisional Government proposed. Official copies of these Acts were furnished me, under the order of the Convention, and returning to Charleston, I placed the same in the hands of the Honorable Secretary of State for South Carolina.

With great respect, I am,

Your obedient servant,

L. W. SPRATT.

CHARLESTON, March 27, 1861.

Hon. D. F. JAMISON,

*President of the Convention*

*of the People of South Carolina :*

SIR: I have the honor to report, that in obedience to the expressed wish of the Convention, I was in attendance on the Convention of the people of Arkansas, which assembled at Little Rock, on the 4th inst.

I communicated to that body the papers entrusted to my charge, and regret to state, that I have not received any official response.

Respectfully,

A. C. SPAIN.



ANDERSON, 7th February, 1861.

HON. D. F. JAMISON :

*Sir* : As Commissioner from this State to the Georgia Convention, I have the honor to report, that I proceeded to Milledgeville, and, upon its organization, I addressed the enclosed communication to the Convention.

I was invited to address the Convention in explanation of the objects and purposes of my mission, and I accepted the invitation.

The final action of the body has already been communicated to the public.

The decisive and unanimous voice of the great State of Georgia in asserting her independence of federal wrong and oppression, settles the question of the complete success of the secession movement of the Cotton States at least.

I have the honor to be,

Very respectfully, your ob't serv't,

JAMES L. ORR.

CHARLESTON, March 27, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

*SIR* : In conformity with instructions from the body over which you preside, I proceeded, at a proper time, to the seat of government of Louisiana, and formally laid before the Convention of that State the Ordinance of Secession of South Carolina, and, moreover to ask its co-operation in the formation of a Southern Union of Confederate States.

The action of that distinguished body is already a part of the history of a great revolution, and cannot fail to be a cause of satisfaction to this body, and to the people of this State.

I cannot forbear sir, to express my sense of the cordial, prompt and decided response which was given to the message from this State, and the personal courtesy which was extended to me as the bearer of it.

I have the honor to be,

With high respect,

Your ob't serv't,

JOHN L. MANNING.

The President laid before the Convention the following communication :

CHARLESTON, S. C., March 26, 1861.

Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

SIR : Should it be the desire of the members of the Convention to visit the fortifications erected for the defence of the harbor of Charleston, it will afford me great pleasure to accompany them on such a visit, at any time they may designate as most convenient to themselves.

I am, Sir, with much respect,

Your obedient serv't,

G. T. BEAUREGARD,  
*Brigadier-General Commanding.*

On motion of Mr. Adams, the invitation was accepted, and Saturday next designated as the day for visiting the fortifications.

Mr. Rhett introduced the following Ordinance, which, on motion of Mr. Rhett, was ordered to lie on the table, and to be printed :

#### AN ORDINANCE

Ordering a Convention of the People of the State of South Carolina on a certain contingency.

Whereas, experience has proved that the slaveholding and non-slaveholding States cannot live in peace under the same government,

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,*

That, should any State hereafter be admitted into the confederacy of the Confederate States, which, by its Constitution, does not tolerate slavery within its limits, and provide for its protection by suitable legislation, the Governor of the State of South Carolina is hereby ordered, forthwith, to summon, by proclamation, the people of the

State of South Carolina to assemble in Convention; and he shall issue writs of election, determining the time and place of holding the same, and the time and place of the assembling of the said Convention, conforming, as far as they are applicable, to the provisions of the Act of the Legislature whereby this Convention was called.

Mr. John Izard Middleton introduced

An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America; which was ordered to be placed on the Calendar of the secret sessions, and to be printed.

Mr. Mazyek presented the report of the Committee appointed to enquire how much of the legislation of Congress is abrogated by the secession of the State; which was ordered for consideration to-morrow, and to be printed.

Mr. Glover offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee on the Constitution enquire and report, if any of the Ordinances adopted by this Convention should be repealed or modified; and that said Committee do also enquire and report, if any further alterations of the Constitution of this State be necessary and proper.

Mr. Inglis introduced

An Ordinance to ratify the Permanent Constitution for the Confederate States of America, and suggesting amendments thereto; which was ordered to be placed in the Calendar of the secret sessions, and to be printed.

Mr. Hutson introduced

An Ordinance to provide for the appointment of Electors of President and Vice President of the Confederate States of America; which was ordered to lie on the table.

Mr. Hutson introduced

An Ordinance further to amend the Fourth Section of the First Article of the Constitution of this State;

An Ordinance to repeal sundry Ordinances done by the People of South Carolina in Convention ;

An Ordinance to amend the Ninth Article of the Constitution of the State of South Carolina ; and

An Ordinance to amend an Ordinance, entitled "An Ordinance to alter the Constitution of the State of South Carolina," by striking out certain words in sundry places ; which were severally referred to the Committee on the Constitution of the State.

The President stated that he had been requested by the Chairman of the Managing Committee of the Charleston Club, to extend the hospitalities of that Club to the members of Convention during the present session.

On motion of Mr. D. L. Wardlaw, it was ordered that when this Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

On motion, the Convention was adjourned at five minutes past three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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THURSDAY, MARCH 28, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. H. Honour.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barnwell,  
Barron,

Barton,  
Beaty,  
Bethea,  
Bellinger,  
Bobo,  
Bonneau,  
Brabham,

Brown, A. H.	Gourdin, T. L.
Brown, C. P.	Green,
Burnet,	Gregg, Maxey
Cain,	Gregg, William
Calhoun,	Grisham,
Caldwell,	Hammond,
Campbell,	Hauckel,
Carn,	Harlee,
Carlisle,	Harrison,
Carroll,	Hayne,
Caughman,	Henderson,
Cauthen,	Honour,
Charles,	Hopkins,
Chesnut,	Hunter,
Cheves,	Hutson,
Clarke,	Inglis,
Conner,	Ingram,
Crawford,	Jackson,
Darby,	Jefferies,
Davant,	Jenkins, John
Davis,	Jenkins, J. E.
De Saussure,	Johnson,
De Treville.	Keitt,
Duncan,	Kershaw,
Dunkin,	Kilgore,
Dunovant, A. Q.	Kinard,
Dunovant, R. G. M.	Kinsler,
Du Pre,	Landrum,
Easley,	Lewis,
Ellis,	Logan,
English,	Lyles,
Evans,	McIver,
Fair,	McKee,
Flud,	McLeod,
Forster,	Magrath,
Foster,	Manigault,
Frampton,	Manning,
Furman,	Mauldin,
Gadberry,	Maxwell,
Garlington,	Mayes,
Geiger,	Mazyck,
Gist,	Means,
Glover,	Middleton, J. Izard
Goodwin,	Middleton, W.
Gourdin, R. N.	Miles,



Moore,	Smyly,
Moorman,	Smith,
Noble,	Snowden,
Nowell,	Spain,
O'Hear,	Spratt,
Orr,	Springs,
Palmer,	Stokes,
Parker,	Sims,
Perrin,	Thompson, R. A.
Pope,	Thomson, Thomas
Porcher,	Timmons,
Pressley,	Tompkins,
Quattlebaum,	Wagner,
Rainey,	Wannamaker,
Reed,	Wardlaw, D. L.
Rhett,	Wardlaw, F. H.
Rhodes,	Watts,
Richardson, J. P.	Wier,
Robinson,	Whitner,
Rowell,	Williams,
Rutledge,	Wilson, I. D.
Scott,	Wilson, J. H.
Sessions,	Wilson, W. B.
Shingler, J. M.	Withers,
Shingler, W. P.	Woods,
Simpson,	Young.

The Journal of yesterday's proceedings was read.

Mr. Thomas Smith, Delegate elected from Darlington district, to fill the vacancy occasioned by the death of Mr. Julius A. Dargan, appeared at the clerk's desk, produced his credentials, signed the roll, and took his seat.

Mr. Rhett introduced the following Ordinance, which was referred to the Committee on Relations with the slaveholding States of North America, and was ordered to be printed:

An Ordinance ceding the possession of the Forts, Arsenal and Marine Hospitals to the Confederate States.

Whereas, the Congress of the Confederate States has recommended to the respective States to cede the Forts, Arsenal, Navy Yards, Dock Yards, and other public estab-

lishments within their respective limits, to the Confederate States:

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the absolute and exclusive possession and control of all the Forts, Arsenals, or Marine Hospitals, in this State, lately occupied by the Government of the United States, be, and the same are hereby ceded to the Confederate States of America, under this following condition, however, That should, at any time hereafter, two-thirds of both branches of the Legislature of this State, or the people of this State assembled in Convention, require of the President of the Confederate States that the said Forts, Arsenals, or Marine Hospitals shall be surrendered up and restored to the possession of this State, the said request shall be promptly complied with.*

A communication was received from his Excellency the Governor, and was read by his private Secretary, Mr. Shackelford.

On motion of Mr. Harlee, the communication was made the special order of the day for to-morrow, at one o'clock, p. m., and was ordered to be printed; and the accompanying documents were ordered to lie on the table.

## GENERAL ORDERS.

The Report of the Committee on Printing, on a resolution to have the Ordinance of Secession photographed, was ordered to lie on the table.

On motion of Mr. Quattlebaum, the general orders were suspended; and

Mr. Quattlebaum presented the report of the Committee on Printing, recommending that Messrs. Evans & Cogswell be requested to furnish two hundred lithographic copies of the Ordinance of Secession for the use of the Convention; which was considered immediately; and the question being

put, will the Convention agree to the report? it passed in the affirmative:

Yeas, 99; nays, 63.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	Gregg, Maxey
Appleby,	Gregg, William
Atkinson,	Hammond,
Barnwell,	Hanckel,
Bethea,	Harlee,
Bobo,	Harrison,
Bonneau,	Hayne,
Brown, A. H.	Henderson,
Burnet,	Honour,
Cain,	Hutson,
Calhoun,	Inglis,
Caldwell,	Ingram,
Campbell,	Jackson,
Carr,	Jenkins, J. E.
Carlisle,	Kilgore,
Carroll,	Kinard,
Caughman,	Kinsler,
Cauthen,	Landrum,
Charles,	Lyles,
Cheves,	McKee,
Crawford,	McLeod,
Darby,	Magrath,
Davant,	Manigault,
Davis,	Manning,
De Saussure,	Mazyck,
De Treville,	Means,
Duncan,	Miles,
Dunkin,	Moore,
Du Pre,	Moorman,
Ellis,	Noble,
English,	O'Hear,
Flud,	Palmer,
Forster,	Parker,
Frampton,	Pope,
Furman,	Porcher,
Geiger,	Pressley,
Gist,	Quattlebaum,
Gourdin, R. N.	Rainey,

Rhett,	Smith, J. J. P.
Rhodes,	Smith, Thomas,
Richardson, F. D.	Snowden,
Richardson, J. P.	Spratt,
Rowell,	Stokes,
Rutledge,	Sims,
Scott,	Tompkins,
Seabrook, E. M.	Townsend,
Sessions,	Wardlaw, F. H.
Shingler, J. M.	Whitner,
Smyly,	Wilson, J. H.

Those who voted in the negative are :

Messrs. Adams,	Logan,
Ayer,	McCrary,
Barron,	McIver,
Barton,	Mauldin,
Beaty,	Maxwell,
Bellinger,	Mayes,
Brabham,	Middleton, J. Izard
Brown, C. P.	Middleton, W.
Chesnut,	Nowell,
Clarke,	Orr,
Conner,	Perrin,
Dunovant, A. Q.	Reed,
Dunovant, R. G. M.	Robinson,
Easley,	Shingler, W. P.
Evans,	Simpson,
Fair,	Spain,
Foster,	Springs,
Gadberry,	Thompson, R. A.
Garlington,	Thomson, Thomas
Glover,	Timmons,
Goodwin,	Wagner,
Gourdin, T. L.	Wannamaker,
Green,	Wardlaw, D. L.
Grisham,	Watts,
Hopkins,	Wier,
Hunter,	Williams,
Jefferies,	Wilson, I. D.
Jenkins, John	Wilson, W. B.
Johnson,	Withers,
Keitt,	Woods,
Kershaw,	Young.
Lewis,	

Mr. Quattlebaum offered the following resolutions:

*Resolved*, That Gen. P. G. T. Beauregard, now commanding the military forces in the vicinity of Charleston, by order of the Provisional Government of the Confederate States of America, and with the approval of the Executive authority of South Carolina, be allowed the privileges of a seat on the floor of the Convention, whenever it may suit his convenience to be present at any other than the secret sessions thereof.

*Resolved*, That a Committee of three be appointed to make known to Gen. Beauregard the purport of the foregoing resolution.

Mr. Adams offered the following amendment, which was agreed to:

*Resolved*, That the President of the Convention extend to Gen. Beauregard the privilege of a seat on the floor of the Convention.

Mr. Manigault offered the following resolutions, which were ordered for consideration in secret session, and to be printed:

1. *Resolved*, That in the Constitution adopted by the Congress of the Confederate States, at Montgomery, many, but not all, of the material defects of the Constitution of 1787, pointed out by the experience of seventy years, have been amended or removed.

2. *Resolved*, That before this Convention ratifies the Constitution adopted at Montgomery, we feel bound to express our conviction that it is imperfect and objectionable, and ought to be amended on the following points:

1st. In leaving open the door to the admission of non-slaveholding States into this Confederacy.

2d. In adopting the basis of only three-fifths of the slaves in calculating federal population.



3d. In granting to the Government of the Confederacy an unlimited power of indirect taxation.

4th. In making the prohibition to import Africans a constitutional principle, and not merely giving to the Confederate Government the power to prohibit it as a matter of expediency, and in not putting the Coolie trade on the same footing.

5th. In continuing the Post-office monopoly in the hands of the Confederate Government.

Mr. Hutson proposed to introduce certain resolutions; Mr. Dunkin objected; and the question being put, will the Convention now receive this? it passed in the negative:

Yeas, 60; nays, 94.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Middleton, W.
Ayer,	Moorman,
Bellinger,	Noble,
Bonneau,	Nowell,
Brown, C. P.	O'Hear,
Burnet,	Palmer,
Cain,	Darby,
Calhoun,	Davant,
Caldwell,	De Saussure,
Campbell,	Evans,
Carr,	Flud,
Carroll,	Forster,
Chesnut,	Frampton,
Clarke,	Furman,
Jenkins, John	Gist,
Keitt,	Glover,
Kershaw,	Gourdin, R. N.
Kinsler,	Gregg, Maxcy
McIver,	Henderson,
McLeod,	Inglis,
Magrath,	Pressley,
Manigault,	Rhett,
Mazyek,	Richardson, F. D.
Middleton, J. Izard	Rutledge,

Scott,  
Seabrook, E. M.  
Shingler, J. M.  
Simons,  
Smith, J. J. P.  
Snowden,

Spain,  
Spratt,  
Stokes,  
Wagner,  
Wilson, J. H.

Those who voted in the negative are :

Messrs. Allison,  
Atkinson,  
Barnwell,  
Barron,  
Barton,  
Beaty,  
Bethea,  
Bobo,  
Brabham,  
Brown, A. H.  
Carlisle,  
Caughman,  
Cauthen,  
Charles,  
Cheves,  
Conner,  
Crawford,  
Davis,  
De Treville,  
Duncan,  
Dunkin,  
Dunovant, A. Q.  
Du Pre,  
Ellis,  
English,  
Fair,  
Foster,  
Garlington,  
Geiger,  
Goodwin,  
Gourdin, T. L.  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,

Harrison,  
Hayne,  
Honour,  
Hopkins,  
Hunter,  
Ingram,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McKee,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moore,  
Orr,  
Parker,  
Perrin,  
Pope,  
Porcher,  
Quattlebaum,  
Raincy,  
Reed,  
Rhodes,  
Robinson,  
Rowell,  
Sessions,

Shingler, W. P.  
 Simpson,  
 Smyly,  
 Smith, Thomas  
 Springs,  
 Sims,  
 Thompson, R. A.  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,

Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Whitner,  
 Williams,  
 Wilson, I. D.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

So the resolutions were not received.

Mr. Pope offered the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That all amendments in the shape of resolutions or Ordinances, to be proposed to the Constitution submitted to this Convention for the Confederate States, be offered in secret session only.

On motion of Mr. Carn, it was

*Ordered*, That when this Convention adjourns, it shall be adjourned to meet to-morrow, at twelve o'clock, M.

Mr. D. L. Wardlaw offered the following resolution, which was made the special order of the day for to-morrow, at twelve o'clock, M.

*Resolved*, That a motion to sit with closed doors be a privileged motion, which may be made whenever a motion to take a recess might be.

Mr. F. H. Wardlaw proposed to introduce certain resolutions; Mr. John Izard Middleton objected; and the question being put, will the Convention now receive this? it passed in the negative:

Yeas, 1 ; nays, 144.

The yeas and nays were demanded, and are as follows:

Mr. F. H. Wardlaw voted in the affirmative; and those who voted in the negative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Forster,
Allison,	Foster,
Atkinson,	Frampton,
Ayer,	Furman,
Barron,	Gadberry,
Barton,	Garlington,
Beaty,	Geiger,
Bethea,	Gist,
Bellinger,	Glover,
Bobo,	Goodwin,
Bonneau,	Gourdin, R. N.
Brabham,	Gourdin, T. L.
Brown, A. H.	Green,
Brown, C. P.	Gregg, Maxey
Burnet,	Gregg, William
Cain,	Grisham,
Calhoun,	Hammond,
Caldwell,	Hanckel,
Campbell,	Harrison,
Carn,	Hayne,
Carlisle,	Henderson,
Carroll,	Honour,
Caughman,	Hopkins,
Cauthen,	Hutson,
Charles,	Inglis,
Cheves,	Ingram,
Clarke,	Jackson,
Conner,	Jefferies,
Crawford,	Jenkins, John
Darby,	Jenkins, J. E.
Davant,	Johnson,
Davis,	Kershaw,
De Saussure,	Kilgore,
De Treville,	Kinard,
Duncan,	Kinsler,
Dunkin,	Landrum,
Dunovant, A. Q.	Logan,
Dunovant, R. G. M.	Lyles,
Du Pre,	McCady,
Ellis,	McIver,
English,	McKee,
Evans,	McLeod,
Flud,	Magrath,

Manigault,	Seabrook, E. M.
Manning,	Sessions,
Mauldin,	Shingler, J. M.
Maxwell,	Shingler, W. P.
Mayes,	Simons,
Mazyck,	Simpson,
Means,	Smyly,
Middleton, J. Izard	Smith, J. J. P.
Middleton, W.	Smith, Thomas
Moore,	Snowden,
Moorman,	Spain,
Noble,	Spratt,
Nowell,	Springs,
O'Hear,	Stokes,
Orr,	Sims,
Palmer,	Thompson, R. A.
Parker,	Timmons,
Perrin,	Tompkins,
Pope,	Towusend,
Porcher,	Wannamaker,
Pressley,	Watts,
Quattlebaum,	Wier,
Rainey,	Whitner,
Reed,	Williams,
Rhodes,	Wilson, I. D.
Robinson,	Wilson, J. H.
Rowell,	Wilson, W. B.
Rutledge,	Woods.
Scott,	

On motion of Mr. McCrady, leave of absence was granted to Mr. Cauthen on account of sickness in his family.

On motion of Mr. Rhett, the Convention was adjourned at three o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*



## FRIDAY, MARCH 29, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. J. Wannamaker.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,	Du Pre,
Allison,	Easley,
Appleby,	Ellis,
Atkinson,	English,
Ayer,	Evans,
Barnwell,	Fair,
Barron,	Flud,
Barton,	Forster,
Beaty,	Foster,
Bethea,	Frampton,
Bonneau,	Furman,
Brabham,	Gadberry,
Brown, A. H.	Garlington,
Brown, C. P.	Geiger,
Burnet,	Gist,
Cain,	Glover,
Calhoun,	Goodwin,
Caldwell,	Gourdin, R. N.
Carn,	Gourdin, T. L.
Carlisle,	Green,
Caughman,	Gregg, Maxcy
Chesnut,	Gregg, William
Cheves,	Grisham,
Clarke,	Hammond,
Conner,	Harlec,
Crawford,	Harrison,
Darby,	Hayne,
Davant,	Henderson,
Davis,	Honour,
De Saussure,	Hopkins,
De Treville,	Hunter,
Duncan,	Hutson,
Dunovant, A. Q.	Inglis,
Dunovant, R. G.M.	Ingram,

Jackson,	Rhett,
Jefferies,	Rhodes,
Jenkins, John	Robinson,
Jenkins, J. E.	Rowell,
Johnson,	Rutledge,
Keitt,	Scott,
Kershaw,	Seabrook, E. M.
Kilgore,	Sessions,
Kinard,	Shingler, J. M.
Kinsler,	Shingler, W. P.
Landrum,	Simons,
Lewis,	Simpson,
Logan,	Smyly,
Lyles,	Smith, Thomas
McIver,	Smith, J. J. P.
McKee,	Snowden,
McLeod,	Spain,
Magrath,	Spratt,
Mauldin,	Springs,
Maxwell,	Stokes,
Mayes,	Sims,
Meaus,	Thompson, R. A.
Middleton, J. Izard	Timmons,
Middleton, W.	Tompkins,
Miles,	Wannamaker,
Moore,	Wardlaw, D. L.
Noble,	Wardlaw, F. H.
Nowell,	Watts,
O'Hear,	Wier,
Orr,	Whitner,
Palmer,	Williams,
Parker,	Wilson, I. D.
Perrin,	Wilson, J. H.
Pope,	Wilson, W. B.
Porcher,	Withers,
Quattlebaum,	Woods,
Rainey,	Young.

The Journal of yesterday's proceedings was read.

The President announced that Mr. James Conner is added to the Committee on the Constitution of the State; and that Mr. Thomas Smith is added to the Committee on Commercial Relations and Postal Arrangements.

Mr. John Izard Middleton offered the following resolutions :

1. *Resolved*, That the true policy of South Carolina consists in the establishment of free trade, and her people never will consent to yield obedience to any government that violates a policy so essential to their prosperity.

2. *Resolved*, That it is indispensable to the success of our agriculture, and the profitable development of the mechanic arts amongst us, that the labor markets of the world should be open to us.

3. *Resolved*, That the right of self-government by the people of this State was acquired through the Revolution of 1776, and ought never to be held subject to the limitations of a government national in its character, whilst it would be perfectly safe under a Federative system.

4. *Resolved*, That all attempts to mingle, with any good result, National and Federal systems have proved abortive, and will always be followed by unhappy consequences, and are, therefore, to be avoided.

5. *Resolved*, That a slaveholding community that allows itself to be governed or controlled, in any particular, by a non-slaveholding community, must be alike blind to what is essential to its honor, its interests, its safety, and the happiness of its people.

6. *Resolved*, That the permanent Constitution of the Confederate States of America, agreed upon at Montgomery, Alabama, and recommended to our acceptance, not permitting to us the establishment of the policy of free trade, taking out of our hands (employed, as we are, in the cultivation of semi-tropical products,) the control of our supply of labor, by a positive prohibition, giving us no efficient guaranty of the right and power of self-government at home, mingling, as it does, the National and Federative systems, and permitting the eventual accession of Anti-Slavery communities to our Confederacy by the absence of a constitutional prohibition, cannot be accepted by South Carolina, unless it be amended in all of the particulars above specified.

## SPECIAL ORDER.

Pending the reading of the resolutions, on motion of Mr. D. L. Wardlaw, the Convention proceeded to the consideration of the following resolution, which had been made the special order of the day, for this day, at twelve o'clock, M. :

*Resolved*, That a motion to sit with closed doors be a privileged motion, which may be made whenever a motion to take a recess might be ;

And, pending the consideration thereof, on motion of Mr. Keitt, the Convention went into

## SECRET SESSION.

The Convention resumed the consideration of the following resolution :

*Resolved*, That a motion to sit with closed doors be a privileged motion ; which may be made whenever a motion to take a recess might be.

Two-thirds of the members present having voted in the affirmative, the resolution was agreed to.

The Convention proceeded to the consideration of the Constitution of the Confederate States of America.

The Constitution was read by the Clerk.

Mr. D. L. Wardlaw offered the following resolution :

The Constitution having been read, *Resolved*, That in the further consideration of the instrument, observations from any member shall be heard in reference to any part of it ; but no question on it shall be taken until the question of ratification or rejection shall have been decided. If ratified, suggestions of amendment may be afterwards considered and disposed of. If rejected, the conditions upon which it might be accepted may be considered.

Mr. Furman offered the following amendment:

*Resolved*, That in the consideration of the Constitution, and before proceeding to vote upon the question of ratification, the opportunity shall be afforded for the presentation of proposed changes in the Constitution; which changes, if they shall be approved by this Convention, shall, in case the Constitution shall be ratified by this body, be proposed to the Congress of the Confederate States as amendments demanded by the State of South Carolina.

Mr. Hutson moved to lay the resolution and the amendment on the table; and the question being put, will the Convention agree thereto?

Messrs. Adams and Means were appointed tellers:

Yeas, 67; nays, 84.

So the motion was not agreed to.

Mr. Orr moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 101: nays, 60.

The yeas and nays were demanded and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	De Treville,
Appleby,	Duncan,
Barnwell,	Dunkin,
Barron,	Dunovant, A. Q.
Barton,	Dunovant, R. G. M.
Beaty,	Easley,
Bethea,	Ellis,
Bobo,	English,
Brabham,	Evans,
Carn,	Foster,
Caughman,	Gadberry,
Chesnut,	Garlington,
Conner,	Geiger,
Crawford,	Glover,
Darby,	Goodwin,
De Saussure,	Gourdin, R. N.



Gourdin, T. L.	Porcher,
Green,	Pressley,
Gregg, William	Quattlebaum,
Grisham,	Rainey,
Hammond,	Reed,
Harlee,	Rhett,
Harrison,	Richardson, J. P.
Henderson,	Robinson,
Honour,	Rowell,
Hopkins,	Sessions,
Hunter,	Shingler, J. M.
Ingram,	Shingler, W. P.
Jackson,	Simons,
Jefferies,	Simpson,
Jenkins, J. E.	Smyly,
Johnson,	Springs,
Keitt,	Stokes,
Kinard,	Sims,
Landrum,	Thompson, R. A.
Lewis,	Thomson, Thomas
Lyles,	Tompkins,
McCady,	Wagner,
McKee,	Wannamaker,
Magrath,	Wardlaw, D. L.
Manning,	Wardlaw, F. H.
Mauldin,	Watts,
Maxwell,	Wier,
Mayes,	Whitner,
Means,	Wilson, I. D.
Moore,	Wilson, J. H.
Noble,	Wilson, W. B.
Orr,	Withers,
Parker,	Woods,
Perrin,	Young.

Those who voted in the negative are :

Messrs. Adams,	Calhoun,
Atkinson,	Caldwell,
Bellinger,	Campbell,
Bouneau,	Carlisle,
Brown, A. H.	Carroll,
Brown, C. P.	Charles,
Burnet,	Cheves,
Cain,	Clarke,

Davant,  
 Davis,  
 Du Pre,  
 Fair,  
 Flud,  
 Forster,  
 Frampton,  
 Furman,  
 Gist,  
 Gregg, Maxey  
 Hanckel,  
 Hayne,  
 Hutson,  
 Inglis,  
 Jenkins, John  
 Kershaw,  
 Kilgore,  
 Kinsler,  
 Logan,  
 McIver,  
 McLeod,  
 Manigault,

Mazyek,  
 Middleton, John Izard  
 Middleton, W.  
 Miles,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Palmer,  
 Pope,  
 Rhodes,  
 Richardson, F. D.  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Smith, J. J. P.  
 Smith, Thomas  
 Snowden,  
 Spain,  
 Spratt,  
 Timmons,  
 Townsend,  
 Williams,

Mr. Cheves moved that the resolution be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative.

Yeas, 61; nays, 100.

The yeas and nays were demanded, and are as follows:  
 Those who voted in the affirmative are:

Messrs. Bellinger,  
 Bonneau,  
 Brown, A. H.  
 Brown, C. P.  
 Burnet,  
 Cain,  
 Calhoun,  
 Caldwell,  
 Campbell,  
 Carroll,  
 Caughman,  
 Cheves,  
 Clarke,  
 Davant,

Davis,  
 Duncan,  
 Du Pre,  
 Evans,  
 Fair,  
 Flud,  
 Forster,  
 Frampton,  
 Furman,  
 Garlington,  
 Gist,  
 Gourdin, R. N.  
 Gregg, Maxey  
 Hutson,

Inglis,  
 Jefferies,  
 Jenkins, John  
 Jenkins, J. E.  
 Kershaw,  
 Kilgore,  
 Kinsler,  
 McIver,  
 McKee,  
 McLeod,  
 Manigault,  
 Mazyck,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moore,  
 Moorman,

Nowell,  
 O'Hear,  
 Palmer,  
 Pope,  
 Rhodes,  
 Richardson, F. D.  
 Rutledge,  
 Scott,  
 Seabrook, E. M.  
 Smith, J. J. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Townsend,  
 Williams,  
 Wilson, I. D.

Those who voted in the negative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Adams,	Ellis,
Allison,	English,
Appleby,	Foster,
Atkinson,	Gadberry,
Barnwell,	Geiger,
Barron,	Glover,
Barton,	Goodwin,
Beaty,	Gourdin, T. L.
Bethea,	Green,
Bobo,	Gregg, William
Brabham,	Grisham,
Carn,	Hammond,
Carlisle,	Hanckel,
Charles,	Harlee,
Chesnut,	Harrison,
Conner,	Hayne,
Crawford,	Henderson,
Darby,	Honour,
De Saussure,	Hopkins,
De Treville,	Hunter,
Dunkin,	Ingram,
Dunovant, A. Q.	Jackson,
Dunovant, R. G. M.	Johnson,
Easley,	Keitt,

Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Noble,  
Orr,  
Parker,  
Perrin,  
Porcher,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Richardson, J. P.  
Robinson,  
Rowell,  
Sessions,

Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith, Thomas  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Wagner,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Whitner,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

So the motion was not agreed to.

The resolution was agreed to.

On motion of Mr. Orr, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet on Monday next, at twelve o'clock, M.

### SPECIAL ORDER.

On motion of Mr. Harllee, the Convention proceeded to the consideration of the communication from his Excellency the Governor, which had been made the special order of the day for this day, at one o'clock, P. M.

Mr. Harllee offered the following resolutions, which were considered, and were agreed to :

*Resolved*, That so much of the communication of his

Excellency, the Governor, with the accompanying documents, as relates to the correspondence of the Executive with the authorities of the Confederate States, and the late United States, be referred to the Committee on Foreign Relations.

2. That so much thereof with the accompanying documents as relates to the Finances and Postal Arrangements, be referred to the Committee on Commercial Relations and Postal Arrangements.

3. That so much thereof with the accompanying documents as relates to the transfer of the enlisted troops, arms, ordnance and munitions of war, to the Government of the Confederate States; and so much as relates to the Coast Defences and Volunteers in the service of this State, be referred to a Special Committee on the Military to be appointed by the President of this Convention.

4. That the Committees be authorized and instructed to cause to be printed the documents referred to them, with discretion to omit such portions as they may deem it improper to make public or unnecessary to print.

Mr. Orr offered the following resolution, which was referred to the Committee on the Military:

*Resolved*, That the troops ordered by this body to be raised for the defence of the State, are recommended to the service of the Confederate States, in part or in whole, as in the opinion of the Government of the Confederate States, the interests of the Confederacy require.

The President announced the following Committee on the Military:

Messrs. W. W. Harlee,  
W. P. Miles,  
R. De Treville,  
R. G. M. Dunovant,  
Maxey Gregg,  
J. B. Kershaw,  
J. M. Gadberry.



Mr. Orr introduced

An Ordinance to ratify the Constitution of the Confederate States of America; and pending the consideration thereof,

On motion of Mr. Orr, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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MONDAY, APRIL 1, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. M. Timmons.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,	Carroll,
Allison,	Caughman,
Appleby,	Charles,
Atkinson,	Chesnut,
Ayer,	Cheves,
Barnwell,	Clarke,
Barron,	Conner,
Barton,	Crawford,
Beaty,	Darby,
Bethea,	Davis,
Bellinger,	De Saussure,
Bobo,	Duncan,
Bonneau,	Dunkin,
Brabham,	Dunovant, R. G. M.
Brown, A. H.	Du Pre,
Brown, C. P.	Easley,
Burnet,	Ellis,
Cain,	Evans,
Calhoun,	Fair,
Caldwell,	Flud,
Campbell,	Forster,
Carn,	Foster,
Carlisle,	Frampton,

Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxey  
Gregg, William  
Grisham,  
Harlee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hopkins,  
Hunter,  
Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, John  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Middleton, J. Izard

Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pope,  
Pressley,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Rutledge,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Smyly,  
Smith, J. J. P.  
Smith, Thomas,  
Spain,  
Spratt,  
Springs,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Watts,  
Wier,  
Williams,

Wilson, I. D.  
Wilson, J. H.  
Wilson, W. B.

Woods,  
Young.

The Journal of Friday's proceedings was read.

Mr. Chesnut offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the President of the Convention be authorized to extend to Hon. Louis T. Wigfall the privilege of a seat on the floor of the Convention.

Mr. Dunkin, from the Committee on Commercial Relations and Postal Arrangements, presented the following report, which was considered immediately, and was agreed to :

The Committee on Commercial Relations and Postal Arrangements, to whom were referred the communications of the Post-master-General and of the Secretary of the Treasury, report,

That they have examined the same, and respectfully recommend that the usual number of copies, of both documents, be printed for the use of the Convention, and that five hundred extra copies of the communication of the Secretary of the Treasury be printed for distribution.

The President laid before the Convention the following communication :

CHARLESTON, 1st April, 1861.

To the Hon. D. F. JAMISON,

*President of the Convention of South Carolina :*

DEAR SIR: The Executive Board of the Carolina Art Association has invested me with authority, which I gladly exercise, to invite the members of the Convention, over which you preside, to visit the Gallery of Art, in Meeting street, whilst deliberating here for the public weal.

The Secretary will take pleasure in furnishing the members with season tickets for their convenient use.

It is hoped that an hour bestowed occasionally in view-

ing some specimens of Art, including Leutze's Illustration of Jasper and the old Palmetto Fort, may contribute an agreeable diversion to the minds of gentlemen habitually engrossed in the discussion of grave concerns of State.

I have the honor to be,

With great respect,

Your ob't serv't,

R. F. W. ALLSTON,

*President C. A. A.*

On motion of Mr. Chesnut, the invitation was accepted.

On motion of Mr. Orr, the Convention went into

### SECRET SESSION.

The Convention resumed the consideration of

An Ordinance to ratify the Constitution of the Confederate States of America;

And pending the consideration thereof, on motion of Mr. Orr, it was ordered, that when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.,

On motion of Mr. Carn, the Convention was adjourned at forty-five minutes past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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TUESDAY, APRIL 2, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. T. R. English.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,	Foster,
Allison,	Frampton,
Appleby,	Furman,
Atkinson,	Gadberry,
Ayer,	Garlington,
Barnwell,	Geiger,
Barron,	Gist,
Barton,	Glover,
Beaty,	Goodwin,
Bethea,	Gourdin, R. N.
Bellinger,	Gourdin, T. L.
Bobo,	Green,
Bonneau,	Gregg, Maxcy,
Brabham,	Gregg, William
Brown, A. H.	Grisham,
Brown, C. P.	Hammond,
Cain,	Hanckel,
Calhoun,	Harlee,
Caldwell,	Harrison,
Campbell,	Hayne,
Caru,	Henderson,
Carlisle,	Honour,
Carroll,	Hopkins,
Caughman,	Hunter,
Cauthen,	Hutson,
Charles,	Inglis,
Chesnut,	Ingram,
Cheves,	Jackson,
Conner,	Jefferies,
Crawford,	Jenkins, John
Darby,	Jenkins, J. E.
Davant,	Johnson,
Davis,	Kershaw,
De Saussure,	Kilgore,
De Treville,	Kinard,
Duncan,	Kinsler,
Dunkin,	Landrum,
Dunovant, R. G. M.	Logan,
Du Pre,	Lyles,
Easley,	McCrary,
Ellis,	McIver,
English,	McKee,
Evans,	McLeod,
Fair,	Magrath,
Flud,	Manigault,



Mauldin,	Simpson,
Maxwell,	Smyly,
Mayes,	Smith, J. J. P.
Mazyck,	Smith, Thomas
Means,	Snowden,
Miles,	Spain,
Moore,	Spratt,
Moorman,	Springs,
Nowell,	Stokes,
O'Hear,	Sims,
Orr,	Thompson, R. A.
Parker,	Thomson, Thomas
Pressley,	Timmmons,
Quattlebaum,	Tompkins,
Rainey,	Townsend,
Reed,	Wannamaker,
Rhett,	Watts,
Rhodes,	Wier,
Richardson, F. D.	Whitner,
Robinson,	Williams,
Rowell,	Wilson, J. H.
Seabrook, E. M.	Wilson, W. B.
Sessions,	Withers,
Shingler, J. M.	Woods,
Simons,	Young.

Mr. Withers presented the Report of the Committee on Relations with the Slaveholding States of America, on an Ordinance concerning the cession of Forts, &c. ; which was ordered for consideration to-morrow, and to be printed.

Mr. L. M. Ayer stated that Messrs. B. W. Lawton and W. P. Finley were detained at home by sickness in their respective families ; and, on motion of Mr. Ayer, these gentlemen were excused for the reason assigned.

Mr. McCrady offered the following resolution ; which was considered immediately, and was agreed to :

*Resolved*, That in the opinion of this Convention, no case should be heard at the present sitting of the Court of Appeals, except with the consent of all the parties to the same.

On motion of Mr. McCrady, it was ordered that a copy of this resolution be sent to the Chief Justice.

Mr. Simons presented the Report of the Committee on Engrossed Ordinances; which was considered immediately, and was agreed to.

On motion of Mr. Orr, the Convention went into

### SECRET SESSION.

The Convention resumed the consideration of an Ordinance to ratify the Constitution of the Confederate States of America.

Mr. Rhett offered the following amendment:

“But this Convention deems it due to the Confederate States, expressly to declare, that in ratifying and adopting the above Constitution, they suppose that it establishes a Confederacy of Slaveholding States; and this State does not consider herself as bound to enter or continue in confederation with any State not tolerating the institution of slavery within its limits by its fundamental law.”

On motion of Mr. Adams, leave of absence was granted to Mr. Hopkins, on account of indisposition.

On motion of Mr. Inglis, business was suspended at forty-five minutes past three o'clock, P. M., until seven o'clock, P. M.

### RECESS.

The President resumed the Chair.

Mr. Reed moved that the amendment be ordered to lie on the table.

Mr. Inglis rose to a question of order.

The President decided the motion to lay the amendment on the table in order.

Mr. Cheves appealed from the decision of the Chair; and the question being put, will the Convention sustain the decision of the Chair? it passed in the negative:

Yeas, 41; nays, 89.

The yeas and nays were demanded, and are as follows :  
Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President*; and

Messrs. Brown, C. P.

Burnet,  
Cain,  
Campbell,  
Carroll,  
Caughman,  
Davant,  
De Saussure,  
Du Pre,  
Evans,  
Flud,  
Gist,  
Glover,  
Gourdin, R. N.  
Gregg, Maxey  
Hankel,  
Henderson,  
Jenkins, John  
Kershaw,  
Kinsler,

Mazyck,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Nowell,  
O'Hear,  
Palmer,  
Perrin,  
Rhett,  
Rhodes,  
Rutledge,  
Smith, J. J. P.  
Snowden,  
Spratt,  
Stokes,  
Wagner,  
Wardlaw, F. H.  
Williams,  
Wilson, J. H.  
Withers.

Those who voted in the negative are :

Messrs. Adams,

Allison,  
Atkinson,  
Barnwell,  
Barron,  
Barton,  
Bethea,  
Bellinger,  
Bobo,  
Calhoun,  
Caldwell,  
Carn,  
Carlisle,  
Cauthen,  
Charles,  
Chesnut,  
Cheves,  
Conner,  
Crawford,

Darby,  
Davis,  
De Treville,  
Duncan,  
Dunovant, R. G. M.  
Ellis,  
English,  
Forster,  
Foster,  
Frampton,  
Garlington,  
Geiger,  
Goodwin,  
Green,  
Gregg, William  
Grisham,  
Hammond,  
Harrison,  
Hunter,

Hutson,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Moore,  
Moorman,  
Parker,  
Pope,  
Quattlebaum,

Rainey,  
Reed,  
Richardson, J. P.  
Rowell,  
Seabrook, E. M.  
Shingler, J. M.  
Simons,  
Simpson,  
Smyly,  
Smith, Thomas  
Spain,  
Springs,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Wannamaker,  
Wardlaw, D. L.  
Watts,  
Wier,  
Whitner,  
Wilson, I. D.  
Wilson, W. B.  
Woods,  
Young.

So the decision of the President was not sustained.

On motion of Mr. Mazyck, it was ordered that when the Convention adjourns it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Spain, the Convention was adjourned at thirty minutes past eight o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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WEDNESDAY, APRIL 3, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. B. F. Mauldin.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,	Frampton,
Allison,	Furman,
Appleby,	Garlington,
Atkinson,	Geiger,
Ayer,	Gist,
Barnwell,	Glover,
Barron,	Goodwin,
Barton,	Gourdin, R. N.
Beaty,	Gourdin, T. L.
Bethea,	Green,
Bellinger,	Gregg, Maxey
Bobo,	Gregg, William
Bonneau,	Grisham,
Brabham,	Hammond,
Brown, A. H.	Harlee,
Brown, C. P.	Harrison,
Calhoun,	Hayne,
Campbell,	Henderson,
Carr,	Honour,
Carlisle,	Hunter,
Carroll,	Hutson,
Caughman,	Inglis,
Canthen,	Ingram,
Charles,	Jackson,
Cheves,	Jefferies,
Clarke,	Jenkins, John
Conner,	Jenkins, J. E.
Crawford,	Johnson,
Darby,	Keitt,
Davant,	Kershaw,
Davis,	Kilgore,
De Saussure,	Kinard,
Dunkin,	Kinsler,
Dunovant, R. G. M.	Landrum,
Du Pre,	Logan,
Easley,	Lyles,
Ellis,	McCrady,
English,	McIver,
Evans,	McKee,
Flud,	McLeod,
Forster,	Magrath,
Foster,	Manigault,



Manning,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Mazyek,  
 Means,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moore,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Pope,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Rowell,  
 Rutledge,  
 Scott,  
 Sessions,

Shingler, J. M.  
 Simons,  
 Simpson,  
 Smyly,  
 Smith, J. J. P.  
 Smith, Thomas  
 Snowden,  
 Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Sims,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Whitner,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication; which, on motion of Mr. Pope, was ordered to be entered on the Journal:

FORT HILL, *March* 30, 1861.

Hon. D. F. JAMISON :

SIR: I transmit through you, as the presiding officer of the Convention of the people of South Carolina, my Report as the Commissioner of your honorable body to the Convention of the people of Alabama.

On my arrival at Montgomery I was received with great cordiality and kindness, as the representative of South

Carolina, by both the friends and opponents of secession; while the former were unbounded in their admiration of the gallant action of our State, the latter, although deprecating her action, were ever courteous and kind in their allusions to her. There was, unfortunately, much diversity of sentiment when the Alabama Convention first assembled. The State of Alabama is divided into what is called South and North Alabama. There is but little trade or intercourse between the sections. Before the completion of Railroads leading to the Atlantic from North Alabama, the course of trade followed the current of its navigable streams to New Orleans. On the other hand, South Alabama concentrated, to a large extent, her trade at Mobile. To the north of the head-waters of navigation, in South Alabama, there intervenes a broken and rugged country, to the valley of the Tennessee. Geographically, no State is more divided, and, unfortunately, the division entered into the political complexion of the State. North Alabama was almost a unit against secession, and South Alabama nearly entirely so in its favor. This state of affairs embarrassed the action of her Convention when it first assembled. For, as citizens of the same State, it was important, although there was a decided majority for secession, to assuage the sectional bitterness, that precipitate action might induce. Hence, several days elapsed before the passage of the Ordinance of Secession. Many opposed up to that point, withdrew opposition, and a general disposition to sustain the State was manifested.

My credentials were presented on the first day of the session of the Convention, and on the second, by invitation, I addressed the Convention, and brought before it the points that I had been instructed to present. I have the honor to enclose an official copy of the action of the Convention, giving an affirmative response to every request I had made as your Commissioner.

Very respectfully,

Your obedient servant,

AND'W P. CALHOUN.

The report and resolutions accompanying the communication, were ordered to lie on the table.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, made reports :

On an Ordinance to amend the ninth Article of the Constitution of the State of South Carolina ;

On an Ordinance further to amend the fourth section of the first Article of the Constitution of this State ;

On an Ordinance declaratory of the true construction of an Ordinance concerning citizenship ; which were severally ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, to whom had been referred an Ordinance to repeal sundry Ordinances done by the people of the State of South Carolina in Convention ; also, an Ordinance to amend an Ordinance, entitled an Ordinance to alter the Constitution of the State of South Carolina, by striking out certain words in sundry places ; also, a resolution to inquire and ascertain what changes should be made in the Constitution to adapt it to our present condition, made a report, and reported an Ordinance concerning the repeal of sundry Ordinances, and various changes in the Constitution ; which was ordered for consideration to-morrow, and to be printed.

Mr. D. L. Wardlaw, from the Committee on the Constitution of the State, to whom had been referred a resolution concerning alterations of the Constitution, made a report, and reported an Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the 28th January, 1861 ; also, to alter the tenth section of the amendments, ratified the 17th day of December, 1808, and likewise the second clause of the eleventh Article of the Constitution aforesaid ; which was ordered for consideration to-morrow, and to be printed.

Mr. Miles presented the Report of the Committee on Foreign Relations, on the Report of the Secretary of State,

and the accompanying documents; which was ordered for consideration to-morrow.

Mr. Hanekel offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the thanks of this Convention are hereby respectfully tendered to Gen. Beauregard, and to the officers acting under him, for the very delightful and highly interesting visit to the Fortifications in Charleston harbor, on Saturday last, afforded to this Convention by their courtesy.

On motion of Mr. Rhett, the Convention went into

### SECRET SESSION.

The Journal of yesterday's secret proceedings was read.

Mr. Mazyck offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Committee on Engrossing be instructed to inquire and report what resolutions and orders of the Convention passed in secret session, and how much and what portions of the secret journal may now be made public without impropriety.

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That when the Convention shall have disposed of all propositions which shall be introduced, for demanding a Convention to consider amendments to the Constitution, or otherwise suggesting such amendments, or defining the conditions upon which the Constitution would be ratified, or the sense in which it is ratified, any member who desires so to do, may change his vote on the ratification of the Constitution.

The Convention resumed the consideration of an Ordinance to ratify the Constitution of the Confederate States

of America ; and the question being put, will the Convention agree thereto ? it passed in the affirmative :

Yeas, 138 ; nays, 21.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President* ; and

Messrs. Allison,	Ellis,
Appleby,	English,
Atkinson,	Evans,
Ayer,	Fair,
Barnwell,	Foster,
Barron,	Frampton,
Barton,	Furman,
Beaty,	Gadberry,
Bethea,	Garlington,
Bellinger,	Geiger,
Bobo,	Gist,
Brabham,	Glover,
Brown, A. H.	Goodwin,
Burnet,	Gourdin, R. N.
Cain,	Gourdin, T. L.
Calhoun,	Green,
Campbell,	Gregg, William
Carn,	Grisham,
Carlisle,	Hammond,
Carroll,	Hanckel,
Caughman,	Harlee,
Cauthen,	Harrison,
Charles,	Hayne,
Chesnut,	Henderson,
Cheves,	Honour,
Clarke,	Hunter,
Conner,	Inglis,
Crawford,	Ingram,
Darby,	Jackson,
Davis,	Jefferies,
De Saussure,	Jenkins, J. E.
De Treville,	Johnson,
Duncan,	Keitt,
Dunkin,	Kershaw,
Dunovant, R. G. M.	Kilgore,
Du Pre,	Kinard,
Easley,	Landrum,



Lewis,  
 Logan,  
 Lyles,  
 McCrady,  
 McKee,  
 McLeod,  
 Magrath,  
 Manning,  
 Mauldin,  
 Maxwell,  
 Mayes,  
 Means,  
 Miles,  
 Moore,  
 Moorman,  
 Noble,  
 O'Hear,  
 Orr,  
 Palmer,  
 Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Rhett,  
 Rhodes,  
 Richardson, F. D.  
 Richardson, J. P.  
 Robinson,

Rowell,  
 Scott,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Smyly,  
 Smith, J. J. P.  
 Smith, Thomas  
 Springs,  
 Stokes,  
 Sims,  
 Thompson, R. A.  
 Thomson, Thomas  
 Timmons,  
 Tompkins,  
 Townsend,  
 Wagner,  
 Wannamaker,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Watts,  
 Wier,  
 Whitner,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods.  
 Young.

Those who voted in the negative are :

Messrs. Adams,  
     Brown, C. P.  
     Caldwell,  
     Davaut,  
     Flud,  
     Forster,  
     Gregg, Maxey  
     Hutson,  
     Jenkins, John  
     Kinsler,  
     McIver,

Manigault,  
 Mazyck,  
 Middleton, J. Izard  
 Middleton, Williams  
 Nowell,  
 Rutledge,  
 Snowden,  
 Spain,  
 Spratt,  
 Williams.

So the Ordinance was agreed to.

On motion of Mr. Pope, it was ordered that when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Pope, the Convention was adjourned at five minutes past three o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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THURSDAY, APRIL 4, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. Daniel Du Pre.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Adams,	Chesnut,
Allison,	Cheves,
Appleby,	Clarke,
Atkinson,	Conner,
Ayer,	Crawford,
Barnwell,	Darby,
Barron,	Davant,
Barton,	Davis,
Beaty,	De Saussure,
Bethea,	Duncan,
Bellinger,	Dunkin,
Brabham,	Dunovant, R. G. M.
Brown, A. H.	Du Pre,
Brown, C. P.	Easley,
Cain,	Ellis,
Calhoun,	English,
Caldwell,	Evans,
Campbell,	Fair,
Carn,	Flud,
Carlisle,	Forster,
Carroll,	Foster,
Caughman,	Frampton,

Furman,  
Gadberry,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Green,  
Gregg, Maxcy  
Gregg, William  
Grisham,  
Hammond,  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
Logan,  
Lyles,  
McCrary,  
McIver,  
McKee,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyek,  
Means,

Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Pressley,  
Quattlebaum,  
Raine, y,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Robinson,  
Rowell,  
Scott,  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,  
Smyly,  
Smith,  
Snowden,  
Spain,  
Spratt,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Watts,  
Wier,  
Whitner,  
Williams,

Wilson, I. D.  
Wilson, J. H.  
• Wilson, W. B.

Withers,  
Woods,  
Young.

The Journal of yesterday's proceedings was read.

Mr. Adams offered the following resolution, which was ordered to lie on the table :

*Resolved*, That this Convention do adjourn *sine die*, tomorrow, April 5th, at four o'clock, P. M.

### GENERAL ORDERS.

On motion of Mr. Miles, the Report of the Committee on Foreign Relations, in relation to the Report of the Secretary of State, was considered and was agreed to.

The general orders were suspended, and

Mr. Mazyek offered the following resolution, which was referred to the Committee on the Military :

*Resolved*, That the Governor be and he is hereby authorized to commission the officers of any Volunteer company which may be formed in any of the districts adjacent to the sea-coast, for local service, provided that no such commission shall be issued without the written consent and approbation of the commanding officers of the Regiment, Battalion and Company, respectively, within the limits of which such Volunteer company shall have been formed ; and provided, also, that such commissions shall not continue longer than        days after the close of the next regular session of the legislature.

On motion of Mr. Spain, leave of absence was granted to Mr. Green, on account of indisposition.

### GENERAL ORDERS.

An Ordinance to amend an Ordinance concerning citizenship was agreed to, and was ordered to be signed by the President and the Clerk.

An Ordinance to repeal sundry Ordinances, and to alter the fourth Article and sundry sections of the Constitution, was taken up.

Mr. Hutson offered the following amendment, which was not agreed to :

Provided, that no one not born a citizen of this State shall vote in any election, unless he shall at some time previously have taken the oath of allegiance to this State; excepting, however, such persons as are now citizens of this State.

The Ordinance was agreed to, and was ordered to be signed by the President and the Clerk.

An Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the 28th of January, 1861; also, to alter the tenth section of the amendments ratified on the 17th day of December, 1808, and likewise the second clause of the eleventh Article of the Constitution aforesaid; was considered, and was agreed to, and was ordered to be signed by the President and the Clerk.

The Report of the Committee on the Constitution of the State on an Ordinance to amend the ninth Article of the Constitution of the State of South Carolina; and

The Report of the same Committee on an Ordinance further to amend the fourth section of the first Article of the Constitution of this State, were considered, and were agreed to.

The General Orders were suspended, and Mr. D. L. Wardlaw offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Constitution of the State shall be engrossed, omitting all temporary provisions, and incorporating all amendments, so as to present a symmetrical whole, and that after having been read and approved by the Convention, it shall be ratified.



On motion of Mr. D. L. Wardlaw, it was ordered, that the Constitution of the State be engrossed under the supervision of the Committee on the Constitution of the State.

On motion of Mr. Harlee, the Convention went into

### SECRET SESSION.

The Journal of yesterday's Secret Session was read.

Mr. Harlee presented the Report of the Committee on the Military on the various matters referred to them, together with certain resolutions, which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. D. L. Wardlaw, the injunction of secrecy was removed from the Report and Resolutions.

Mr. Simons presented the Report of the Committee on Engrossed Ordinances on a resolution of inquiry as to the publication of the Resolutions and Orders, and Secret Journal of the Convention; which was ordered for consideration to-morrow.

Mr. R. N. Gourdin offered the following resolution:

*Resolved*, That the appointment of the Hon. Edward Frost, by his Excellency the Governor, an Executive Counsellor *vice* the Hon. C. G. Memminger, appointed Secretary of the Treasury of the Confederate States of America, is approved by this Convention, and is hereby confirmed.

Mr. Adams offered the following amendment, which was agreed to:

*Resolved*, That the Convention approve of the nomination of Hon. Edward Frost, as a member of the Executive Council.

On motion of Mr. D. L. Wardlaw, an ordinance to repeal sundry ordinances, and to alter the fourth Article, and sundry sections of the Constitution was reconsidered; and on motion of Mr. D. L. Wardlaw, the following words of the first section were stricken out: "Also, an Ordinance

ratified on the 27th day of December, 1860, entitled, an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department."

On motion of Mr. D. L. Wardlaw, this portion of the Ordinance was recommitted to the Committee on the Constitution of the State, and the remaining clauses of the Ordinance were agreed to: and the injunction of secrecy removed.

Mr. Bonneau asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America; and Mr. Bonneau being called, answered "No."

Mr. Inglis offered the following resolutions, which were considered immediately:

*Resolved*, That so soon as the Government of the Confederate States of America, created by the Constitution which has been now ratified, shall be securely established and in peaceful operation, the State of South Carolina ought to demand that, two other States concurring, the Congress shall summon a Convention of all the States, to take into consideration the following amendments to the said Constitution, to wit:

1. To amend the second section of the first Article, by striking out from the third paragraph thereof, the following words, to wit: "which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years;" and the words, "three-fifths of all slaves," and inserting after the words "respective numbers," the words, "including slaves."

2. To amend the ninth section of the first Article by striking out therefrom the first paragraph of said section, and the word "also" from the second paragraph of the same section, and inserting in the latter paragraph after the word "State," the words, "of the present United States of America."

3. To amend the third section of the fourth Article, by adding to the first paragraph thereof, the words, "nor shall any State in which African slavery does not by law exist, be admitted, without the consent of all the States expressed through their respective legislatures."

Mr. Mazyek offered the following amendment:

Strike out all after the word "Resolved," and insert,  
 "That the State of South Carolina, in pursuance of the fifth Article of the Constitution of the Confederate States of America, does hereby demand that the Congress of the Confederate States to be assembled under the provisions of the said Constitution, shall summon a Convention of all the States of the Confederacy to take into consideration the following amendments to the said Constitution, to wit:"

Mr. A. H. Brown moved that the amendment be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 101; nays, 44.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Allison,	Cheves,
Appleby,	Conner,
Barnwell,	Crawford,
Barron,	Darby,
Barton,	De Saussure,
Beaty,	De Treville,
Bethea,	Kershaw,
Bobo,	Kinard,
Brabham,	Landrum,
Brown, A. H.	Lewis,
Calhoun,	Lyles,
Carlisle,	McCady,
Carroll,	McKee,
Caughman,	McLeod,
Canthen,	Magrath,
Charles,	Manning,
Chesnut,	Mauldin,

Duncan,  
 Dunkin,  
 Du Pre,  
 Easley,  
 Ellis,  
 English,  
 Evans,  
 Foster,  
 Frampton,  
 Furman,  
 Garlington,  
 Glover,  
 Goodwin,  
 Gourdin, R. N.  
 Gourdin, T. L.  
 Grisham,  
 Hammond,  
 Hanckel,  
 Harlee,  
 Harrison,  
 Hayne,  
 Hunter,  
 Inglis,  
 Ingram,  
 Jackson,  
 Jenkins, J. E.  
 Johnson,  
 Keitt,  
 Maxwell,  
 Mayes,  
 Means,  
 Moore,  
 Noble,  
 Orr,

Parker,  
 Perrin,  
 Pope,  
 Porcher,  
 Quattlebaum,  
 Rainey,  
 Reed,  
 Richardson, J. P.  
 Robinson,  
 Rowell,  
 Seabrook, E. M.  
 Sessions,  
 Shingler, J. M.  
 Simons,  
 Simpson,  
 Smyly,  
 Smith, Thomas  
 Springs,  
 Stokes,  
 Sims,  
 Thompson, R. A.  
 Thomson, Thomas  
 Townsend,  
 Wannamaker,  
 Wardlaw, D. L.  
 Watts,  
 Wier,  
 Whitner,  
 Wilson, I. D.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Those who voted in the negative are:

Messrs. Adams,  
 Atkinson,  
 Ayer,  
 Bellinger,  
 Brown, C. P.  
 Cain,  
 Caldwell,  
 Campbell,  
 Carn,

Clarke,  
 Davant,  
 Davis,  
 Fair,  
 Flud,  
 Forster,  
 Gist,  
 Hutson,  
 Jefferies,

Jenkins, John  
 Kilgore,  
 Kinsler,  
 McIver,  
 Manigault,  
 Mazyek,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Moorman,  
 Nowell,  
 O'Hear,  
 Palmer,

Rhodes,  
 Richardson, F. D.  
 Rutledge,  
 Scott,  
 Smith, J. J. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Timmons,  
 Wagner,  
 Wardlaw, F. H.  
 Williams,  
 Wilson, J. H.

Mr. Orr moved that the resolutions offered by Mr. Inglis be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the negative:

Yeas, 27 ; nays, 118.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Messrs. Allison,  
 Barron,  
 Charles,  
 Chesnut,  
 Duncan,  
 Evans,  
 Foster,  
 Goodwin,  
 Harlee,  
 Harrison,  
 Hayne,  
 Johnson,  
 Manning,  
 Mauldin,

Mayes,  
 Means,  
 Orr,  
 Perrin,  
 Pope,  
 Rainey,  
 Reed,  
 Smyly,  
 Thompson, R. A.  
 Thomson, Thomas  
 Wardlaw, D. L.  
 Whitner,  
 Wilson, I. D.

Those who voted in the negative are :

Messrs. Adams,  
 Appleby,  
 Atkinson,  
 Ayer,  
 Barnwell,  
 Barton,

Beaty,  
 Bethea,  
 Bellinger,  
 Bobo,  
 Brabham,  
 Brown, A. H.



Brown, C. P.	Jenkins, J. E.
Cain,	Keitt,
Calhoun,	Kershaw,
Caldwell,	Kilgore,
Campbell,	Kinard,
Carn,	Kinsler,
Carlisle,	Landrum,
Carroll,	Lewis,
Caughman,	Lyles,
Cauthen,	McCrady,
Cheves,	McIver,
Clarke,	McKee,
Conner,	McLeod,
Crawford,	Manigault,
Darby,	Maxwell,
Davant,	Mazyek,
Davis,	Middleton, J. Izard
De Saussure,	Middleton, W.
De Treville,	Miles,
Dunkin,	Moore,
Du Pre,	Moorman,
Easley,	Noble,
Ellis,	Nowell,
English,	O'Hear,
Fair,	Palmer,
Flud,	Parker,
Forster,	Porcher,
Frampton,	Quattlebaum,
Furman,	Rhodes,
Garlington,	Richardson, F. D.
Geiger,	Richardson, J. P.
Gist,	Robinson,
Glover,	Rowell,
Gourdin, R. N.	Rutledge,
Gourdin, T. L.	Scott,
Grisham,	Seabrook, E. M.
Hammond,	Sessions,
Hanckel,	Shingler, J. M.
Hunter,	Simons,
Hutson,	Simpson,
Inglis,	Smith, J. J. P.
Ingram,	Smith, Thomas
Jackson,	Snowden,
Jefferies,	Spain,
Jenkins, John	Spratt,

Springs,  
Stokes,  
Sims,  
Timmons,  
Townsend,  
Wagner,  
Wannamaker,  
Wardlaw, F. H.

Watts,  
Wier,  
Williams,  
Wilson, J. H.  
Wilson, W. B.  
Withers,  
Woods,  
Young.

The preamble and the first section were agreed to.

Mr. Withers proposed the following amendment:

Insert in lieu of the latter member of the proposition as to the ninth section, the following, to wit: To substitute in lieu of the second paragraph of the said section, the following:

“Congress shall have power to prohibit the importation or introduction of slaves from any region, not a State or Territory of this Confederacy.”

Mr. D. L. Wardlaw offered the following:

“That the first and second clauses of the ninth section of the first Article, be altered to read as follows: ‘Congress shall have power to prohibit the importation or introduction of slaves from any region not a State or Territory of this Confederacy.’”

The amendment was agreed to.

Mr. John Izard Middleton offered the following amendment, which was not agreed to:

To amend the first Article by striking out the first and second clauses of the ninth section.

The third clause of the resolutions was agreed to.

Mr. Hutson offered the following amendments, which, on motion of Mr. Withers, were ordered to lie on the table:

To strike out wherever they occur the words, “citizens of the Confederate States,” or “citizen of the Confederate

States," and insert in lieu thereof, "citizens of one of the Confederate States," and "citizen of one of the Confederate States.

To insert in the fourth clause of the eighth section of the first Article after the word "naturalization" these words "provided that such laws shall require the foreigner to swear allegiance to that Confederate State in which he is naturalized."

Mr. R. N. Gourdin offered the following amendment:

To amend the eighth section of the first Article, by inserting after the word "but," on the seventh line, the following: "The per centage on imports shall be uniform, and shall not exceed fifteen per cent. ad valorem at the place of export in times of peace, and"

And pending the consideration thereof, on motion of Mr. Reed, the Convention was adjourned at twenty-five minutes past four o'clock, P. M.

B. F. ARTHUR,

*Clerk of the Convention.*

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FRIDAY, APRIL 5, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. D. C. Appleby.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Adams,  
Allison,  
Appleby,  
Atkinson,  
Barnwell,

Barron,  
Barton,  
Beaty,  
Betha,  
Brabham,

Brown, A. H  
Brown, C. P.  
Buchanan,  
Cain,  
Calhoun,  
Caldwell,  
Campbell,  
Carn,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Cheves,  
Clarke,  
Darby,  
Davant,  
Davis,  
De Saussure,  
Dunkin,  
Du Pre,  
Easley,  
Ellis,  
Evans,  
Fair,  
Flud,  
Forster,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, Maxey  
Gregg, William  
Grisham,  
Harllee,  
Harrison,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,

Inglis,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
Lyles,  
McIver,  
McKee,  
McLeod,  
Manigault,  
Mauldin,  
Maxwell,  
Mayes,  
Mazyck,  
Means,  
Middleton, J. Izard  
Middleton, W.  
Moore,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Rowell,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smyly,  
Smith, J. J. P.

Smith, Thomas	Wannamaker,
Snowden,	Wardlaw, D. L.
Spain,	Watts,
Spratt,	Wier,
Springs,	Williams,
Stokes,	Wilson, I. D.
Sims,	Wilson, J. H.
Thomson, Thomas	Wilson, W. B.
Timmmons,	Withers,
Tompkins,	Woods,
Townsend,	Young.

The Journal of yesterday's proceedings was read.

On motion of Mr. Bellinger, leave of absence was granted to Mr. Carn, on account of professional business.

Mr. D. L. Wardlaw presented the Report of the Committee on the Constitution, upon reconsideration after recommitment to them, of an Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department; which was ordered for consideration to-morrow, and to be printed.

Mr. Adams offered the following resolution; which was ordered for consideration to-morrow:

*Resolved*, That the Convention adjourn this day, at six o'clock, p. m., to be convened on the call of the President, if he should deem it at any time before the first Monday of December necessary to do so; and should no such call be made before that time, the Convention then to stand adjourned *sine die*.

Mr. Thomas Thomson presented the Report of the Committee on Accounts, on the accounts of P. Brady and others; which was considered immediately, and was agreed to.

On motion of Mr. Simons, the Convention went into

### SECRET SESSION.

The Journal of yesterday's secret session was read.

Mr. Rhett asked leave to record the vote he would have given, if present, on a motion to lay on the table, certain



resolutions, offered by Mr. Inglis, suggesting amendments to the Constitution, and Mr. Rhett, being called, answered "No."

Mr. Manigault presented the account of the "Horry Despatch" for advertising, which was referred to the Committee on Accounts.

Mr. Rhett offered the following resolution, which was referred to the Engrossing Committee:

*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America, and the Journal of this Convention of its proceedings thereon, shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of the States assembled at Montgomery, which formed said Constitution.

On motion of Mr. Simons it was

*Ordered*, That the "Ordinance to ratify the Constitution of the Confederate States of America," be referred to the Committee on Engrossed Ordinances, and be ratified by the signature of the President, and attested by the Clerk of the Convention, under the great seal of the State.

The Convention resumed the consideration of the resolutions (by Mr. Inglis) suggesting amendments to the Constitution of the Confederate States; and the following amendment thereto, offered by Mr. R. N. Gourdin:

To amend the eighth section of the first Article by inserting after the word "but," on the seventh line, the following: "The duty imposed on all articles taxed, shall be uniform, and shall not, in time of peace, exceed fifteen per cent, ad valorem, at the place of export."

Mr. Mazyek offered the following amendment:

To amend the ninth section by altering the sixth clause thereof, so as to read as follows: "No tax or duty shall be laid on articles exported from any State; nor shall any

duty on imports exceed one-tenth of the value of the article on which it is laid."

Mr. Adams moved that the amendments be ordered to lie on the table ; and the question being put, will the Convention agree thereto ? it passed in the affirmative.

Yeas, 85 ; nays, 52.

The yeas and nays were demanded, and are as follows :

Those who voted in the affirmative are :

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Geiger,
Allison,	Gist,
Appleby,	Goodwin,
Atkinson,	Gourdin, T. L.
Barnwell,	Gregg, William
Barron,	Grisham,
Barton,	Hammond,
Beaty,	Harlee,
Bobo,	Honour,
Brown, A. H.	Hunter,
Buchanan,	Inglis,
Carr,	Jackson,
Carlisle,	Jefferies,
Carroll,	Johnson,
Cauthen,	Kershaw,
Cheves,	Kilgore,
Conner,	Kinard,
Crawford,	Landrum,
Darby,	Lewis,
DeSaussure,	Melver,
De Treville,	Manning,
Duncan,	Mauldin,
Dunkin,	Maxwell,
Dunovant, R. G. M.	Mayes,
Easley,	Means,
Ellis,	Noble,
English,	Nowell,
Evans,	O'Hear,
Fair,	Parker,
Foster,	Perrin,
Frampton,	Rainey,
Garlington,	Reed,

Robinson,  
Rowell,  
Shingler, J. M.  
Shingler, W. P.  
Simpson,  
Smith, Thomas  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.

Thomson, Thomas  
Tompkins,  
Wardlaw, D. L.  
Watts,  
Wier,  
Whitner,  
Wilson, I. D.  
Wilson, W. B.  
Withers,  
Young.

Those who voted in the negative are :

Messrs. Ayer,  
Bellinger,  
Brabham,  
Brown, C. P.  
Cain,  
Calhoun,  
Caldwell,  
Campbell,  
Clarke,  
Davant,  
Du Pre,  
Flud,  
Furman,  
Glover,  
Gourdin, R. N.  
Gregg, Maxey  
Hanckel,  
Harrison,  
Hayne,  
Henderson,  
Hutson,  
Jenkins, John  
Jenkins, J. E.  
Keitt,  
Kinsler,  
McCady,

McLeod,  
Manigault,  
Mazyek,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Orr,  
Palmer,  
Quattlebaum,  
Rhett,  
Rhodes,  
Richardson, J. P.  
Scott,  
Seabrook, E. M.  
Sessions,  
Simons,  
Smith, J. J. P.  
Snowden,  
Spain,  
Spratt,  
Townsend,  
Wannamaker,  
Williams,  
Wilson, J. H.

Mr. John I. Middleton offered the following amendment :

To amend the tenth section of the first Article by striking out from the third clause thereof, after the word "State," the words "keep troops or ships of war in time of peace," so that the clause may read :

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations, and any surplus revenue thus derived shall, after making such improvements, be paid into the common treasury, nor shall any State enter into any compact or agreement with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay; but when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

Mr. Miles moved that the amendment be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 124; nays, 15.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Caughman,
Allison,	Caughen,
Appleby,	Cheves,
Atkinson,	Comer,
Ayer,	Crawford,
Barnwell,	Darby,
Barron,	Davis,
Barton,	De Saussure,
Beaty,	De Treville,
Bellinger,	Duncan,
Bobo,	Dunkin,
Brabham,	Dunovant, R. G. M.
Brown, A. H.	Du Pre,
Buchanan,	Easley,
Calhoun,	Ellis,
Caldwell,	English,
Campbell,	Evans,
Carn,	Fair,
Carlisle,	Flud,
Carroll,	Foster,

Frampton,  
Furnan,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Goodwin,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, William  
Hammond,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hunter,  
Inglis,  
Jackson,  
Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
Lewis,  
McCrary,  
McIyer,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Miles,  
Moore,  
Moorman,  
Noble,

Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Perrin,  
Quattlebaum,  
Rainey,  
Reed,  
Rhett,  
Rhodes,  
Robinson,  
Rowell,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smith, Thomas  
Snowden,  
Spain,  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,  
Tompkins,  
Townsend,  
Wannamaker,  
Wardlaw, D. L.  
Wardlaw, F. H.  
Watts,  
Wier,  
Whitner,  
Wilson, I. D.  
Wilson, W. B.  
Withers,  
Young.



Those who voted in the negative are:

Messrs. Brown, C. P.	Middleton, J. Izard
Clarke,	Middleton, W.
Davant,	Richardson, F. D.
Forster,	Smith, J. J. P.
Hutson,	Spratt,
Jenkins, John	Williams,
Kinsler,	Wilson, J. H.
Mazyek,	

Mr. Mazyek offered the following amendments:

To amend the ninth section by adding the following clauses, viz:

1. All taxes, other than duties and excises and imposts upon the sale or letting of commodities, or the performance of service for hire, shall be deemed direct taxes.

2. The power of Congress to regulate commerce shall not be understood to authorize the prohibition or suppression of any branch of commerce.

To amend the tenth section of the first Article, by adding thereto the following clause, viz:

“Nothing in this Constitution shall be understood to take away or abridge the power of the several States to prohibit the importation or introduction of such persons or things as they may respectively think proper to exclude.”

Mr. Withers moved that the amendments be ordered to lie on the table; and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 115; nays, 20.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Barron,
Allison,	Barton,
Appleby,	Beaty,
Atkinson,	Bethea,
Ayer,	Bellinger,
Barnwell,	Bobo,

Brabham,  
Brown, A. H.  
Calhoun,  
Campbell,  
Carlisle,  
Carroll,  
Caughman,  
Cauthen,  
Chesnut,  
Cheves,  
Clarke,  
Conner,  
Crawford,  
Darby,  
Davis,  
De Treville,  
Duncan,  
Dunkin,  
Du Pre,  
Easley,  
Ellis,  
English,  
Evans,  
Fair,  
Foster,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gourdin, T. L.  
Gregg, William  
Hammond,  
Hauckel,  
Harlee,  
Harrison,  
Hayne,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,  
Jackson,

Jefferies,  
Jenkins, J. E.  
Johnson,  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Landrum,  
McCrady,  
McKee,  
McLeod,  
Magrath,  
Manning,  
Mauldin,  
Maxwell,  
Mayes,  
Means,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Orr,  
Palmer,  
Parker,  
Porcher,  
Quattlebaum,  
Rainey,  
Reed,  
Rhodes,  
Robinson,  
Rowell,  
Scott,  
Sessions,  
Shingler, J. M.  
Shingler, W. P.  
Simons,  
Simpson,  
Smith, Thomas  
Springs,  
Stokes,  
Sims,  
Thompson, R. A.  
Thomson, Thomas  
Timmons,

Tompkins,  
 Townsend,  
 Wannamaker,  
 Wardlaw, F. H.  
 Watts,  
 Wier,

Whitner,  
 Wilson, I. D.  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Young.

Those who voted in the negative are :

Messrs. Brown, C. P.  
 Buchanan,  
 Cain,  
 Caldwell,  
 Davant,  
 Flud,  
 Gregg, Maxey  
 Jenkins, John  
 Kinsler,  
 Manigault,

Mazyek,  
 Middleton, J. Izard  
 Middleton, W.  
 Miles,  
 Richardson, F. D.  
 Smith, J. J. P.  
 Snowden,  
 Spain,  
 Spratt,  
 Williams.

Mr. Orr offered the following amendment, which was agreed to :

Strike out the second clause of the eighth section of the first Article, and insert :

“The Congress shall not contract any debt, except for war purposes, and all expenditures in excess of revenues from imports, which shall not exceed fifteen per cent. *ad valorem*, and other services, shall be met by direct taxation, to be provided for by the Congress authorizing the expenditure.”

Mr. J. Izard Middleton offered the following amendment:

To amend the sixth clause of the sixth Article, by adding at the close thereof the following words: “And all the powers hereinbefore delegated to the Confederate States, may, at any time, be resumed by any one of them,” so that the clause may read:

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof.

And all the powers hereinbefore delegated to the Confederate States, may, at any time, be resumed by any one of them.

Mr. Reed moved that the amendment be ordered to lie on the table, and the question being put, will the Convention agree thereto? it passed in the affirmative.

Yeas, 114; nays, 12.

The yeas and nays were demanded and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Adams,	Flud,
Allison,	Foster,
Barnwell,	Frampton,
Barron,	Furman,
Barton,	Garlington,
Beaty,	Geiger,
Bethea,	Gist,
Bellinger,	Glover,
Bobo,	Gourdin, R. N.
Brabham,	Gregg, William
Brown, A. H.	Hammond,
Brown, C. P.	Hanckel,
Cain,	Harlee,
Calhoun,	Harrison,
Carlisle,	Hayne,
Carroll,	Hunter,
Caughman,	Hutson,
Cauthen,	Inglis,
Conner,	Ingram,
Crawford,	Jackson,
Darby,	Jefferies,
Davant,	Jenkins, J. E.
De Saussure,	Johnson,
De Treville,	Keitt,
Dunkin,	Kershaw,
Du Pre,	Kilgore,
Easley,	Kinard,
Ellis,	Landrum,
English,	Lewis,
Evans,	McCrary,
Fair,	McIver,

McKee,	Scott,
McLeod,	Sessions,
Magrath,	Shingler, J. M.
Manigault,	Simons,
Mauldin,	Simpson,
Maxwell,	Smith, Thomas
Mayes,	Snowden,
Means,	Spain,
Miles,	Springs,
Moore,	Stokes,
Noble,	Sims,
Nowell,	Thompson, R. A.
O'Hear,	Thompson, Thomas
Orr,	Timmons,
Parker,	Tompkins,
Perrin,	Townsend,
Pope,	Wagner,
Porcher,	Wardlaw, D. L.
Quattlebaum,	Wardlaw, F. H.
Rainey,	Watts,
Reed,	Wier,
Rhodes,	Williams,
Richardson, F. D.	Withers,
Richardson, J. P.	Woods,
Robinson,	Young.
Rowell,	

Those who voted in the negative are:

Messrs. Buchanan,	Manning,
Caldwell,	Middleton, J. Izard
Gregg, Maxey	Moorman,
Henderson,	Palmer,
Jenkins, John	Smith, J. J. P.
Kinsler,	Wilson, J. H.

The question being put, will the Convention agree to the resolutions? it passed in the affirmative:

Yeas, 117; nays, 15.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, <i>President</i> ; and	
Messrs. Adams,	Barnwell,
Allison,	Barron,
Atkinson,	Barton,



Beaty,  
Bethea,  
Bellinger,  
Brabham,  
Brown, A. H.  
Brown, C. P.  
Buchanan,  
Cain,  
Calhoun,  
Caldwell,  
Carroll,  
Caughman,  
Cauthen,  
Clarke,  
Conner,  
Darby,  
Davant,  
De Saussure,  
De Treville,  
Duncan,  
Dunkin,  
Du Pre,  
Ellis,  
English,  
Evans,  
Fair,  
Flud,  
Frampton,  
Furman,  
Garlington,  
Geiger,  
Gist,  
Glover,  
Gourdin, R. N.  
Gregg, Maxcy  
Gregg, William  
Hammond,  
Hanckel,  
Hayne,  
Henderson,  
Honour,  
Hunter,  
Hutson,  
Inglis,  
Ingram,

Jackson,  
Jeffries,  
Jenkins, John  
Jenkins, J. E.  
Keitt,  
Kershaw,  
Kilgore,  
Kinard,  
Kinsler,  
Landrum,  
Lewis,  
McCrady,  
McIver,  
McKee,  
McLeod,  
Magrath,  
Manigault,  
Maxwell,  
Mayes,  
Means,  
Middleton, J. Izard  
Middleton, W.  
Miles,  
Moore,  
Moorman,  
Noble,  
Nowell,  
O'Hear,  
Palmer,  
Parker,  
Pope,  
Porcher,  
Quattlebaum,  
Rainey,  
Rhodes,  
Richardson, F. D.  
Richardson, J. P.  
Robinson,  
Rowell,  
Scott,  
Seabrook, E. M.  
Sessions,  
Shingler, J. M.  
Simons,  
Simpson,

Smith, J. J. P.	Wagner,
Smith, Thomas	Wardlaw, D. L.
Snowden,	Wardlaw, F. H.
Spain,	Watts,
Springs,	Wier,
Stokes,	Williams,
Sims,	Wilson J. H.
Thompson, R. A.	Withers,
Thomson, Thomas	Woods,
Timmons,	Young.

Those who voted in the negative are :

Messrs. Bobo,	Manning,
Carlisle,	Mauldin,
Chesnut,	Orr,
Easley,	Perrin,
Foster,	Reed,
Harllee,	Tompkins,
Harrison,	Wilson, I. D.
Johnson,	

Mr. Inglis offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the resolution just adopted by this Convention, declaring that the State of South Carolina ought hereafter to demand a Convention of all the States to consider certain amendments to the Federal Constitution therein specified, be committed to the Committee on Engrossed Ordinances to be engrossed, and that an authenticated copy thereof be transmitted, with the Ordinance ratifying the Federal Constitution, to the Congress of the Confederate States.

Mr. McCrady offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee of four be appointed to consider and report whether any, and if any, what measures ought to be adopted for the protection of suitors and parties to causes pending in Court, where from the employment of their attorneys, solicitors or counsel in the service

of the State, irregularities have occurred, which by the course of pleading or practice, or by the rules of the various Courts may work injury to them, or put them at disadvantage, or leave them at the mercy of the opposite parties, their counsel, attorneys or solicitors.

Whereupon the President appointed the following gentlemen of the Committee :

Messrs. J. N. Whitner,  
T. W. Glover,  
J. P. Carroll,  
J. A. Inglis.

Mr. Buchanan asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America, and Mr. Buchanan being called, answered "aye."

Mr. W. P. Shingler asked to record the vote he would have given, if present, on an Ordinance to ratify the Constitution of the Confederate States of America, and Mr. Shingler being called, answered "aye."

Mr. Cheves asked to record the vote he would have given, if present, on the resolutions suggesting amendments to the Constitution of the Confederate States, and Mr. Cheves being called, answered "aye."

Messrs. Flud, Snowden, Spain, Williams, Davant and Hutson, asked leave respectively, to change their votes on an Ordinance to ratify the Constitution of the Confederate States of America; and, being called respectively, answered "aye."

On motion of Mr. Glover, leave of absence was granted to Mr. Keitt, on account of sickness in his family.

On motion of Mr. Chesnut, leave of absence was granted to Mr. Adams, on account of ill health.

On motion of Mr. Hutson, leave of absence was granted to Mr. Frampton on account of ill health.

On motion of Mr. Orr, leave of absence was granted to Mr. R. A. Thompson, on account of important business.

On motion of Mr. Pope, the injunction of secrecy was removed from the vote on the ratification of the Constitution of the Confederate States.

On motion of Mr. Harlee, the Convention proceeded to the consideration of the Report of the Committee on the Military, together with the resolutions.

The first and second resolutions were agreed to.

The third resolution was taken up.

Mr. Orr offered the following amendment to the third resolution :

*Resolved*, That it is the sense of this Convention, that the sudden call which was gallantly answered by the First Regiment of South Carolina Volunteers, now in the service, and the valuable services which that regiment has rendered, give it a just claim to an honorable discharge as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit; but that if it should be the desire of the said regiment to prolong its service, then it shall——

On motion of Mr. D. I. Wardlaw, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow at twelve o'clock, m.

Pending the consideration of the amendment offered by Mr. Orr,

On motion of Mr. Bobo, the Convention was adjourned at four o'clock, p. m.

B. F. ARTHUR,  
*Clerk of the Convention.*

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SATURDAY, APRIL 6, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. C. Furman.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,	Glover,
Appleby,	Gourdin, R. N.
Atkinson,	Gourdin, T. L.
Ayer,	Gregg, Maxey
Barron,	Gregg, William
Barton,	Grisham,
Beaty,	Hammond,
Bellinger,	Harlee,
Bobo,	Harrison,
Brown, A. H.	Hayne,
Brown, C. P.	Henderson,
Buchanan,	Honour,
Cain,	Hunter,
Calhoun,	Hutson,
Caldwell,	Inglis,
Campbell,	Ingram,
Carlisle,	Jackson,
Carroll,	Jenkins, John
Caughman,	Jenkins, J. E.
Charles,	Johnson,
Cheves,	Kilgore,
Clarke,	Kinsler,
Darby,	Landrum,
Davant,	Lewis,
De Saussure,	Logan,
De Treville,	McCady,
Duncan,	McIver,
Dunkin,	McKee,
Dunovant, R. G. M.	McLeod,
Du Pre,	Manigault,
Easley,	Mauldin,
Ellis,	Maxwell,
English,	Mayes,
Evans,	Mazyek,
Fair,	Means,
Flud,	Middleton, J. Izard
Foster,	Miles,
Furman,	Moore,
Gadberry,	Moorman,
Garlington,	Noble,
Geiger,	Nowell,
Gist,	O'Hear,



Orr,  
 Palmer,  
 Parker.  
 Perrin,  
 Porcher,  
 Pressley,  
 Quattlebaum,  
 Reed,  
 Rhett,  
 Rhodes,  
 Robinson,  
 Scott,  
 Sessions,  
 Shingler, J. M.  
 Shingler, W. P.  
 Simons,  
 Simpson,  
 Smyly,  
 Smith, J. J. P.  
 Smith, Thomas,  
 Snowden,

Spain,  
 Spratt,  
 Springs,  
 Stokes,  
 Sims,  
 Thomson, Thomas  
 Timmons,  
 Townsend,  
 Wardlaw, D. L.  
 Wardlaw, F. H.  
 Wannamaker,  
 Watts,  
 Wier,  
 Whitner,  
 Williams,  
 Wilson, J. H.  
 Wilson, W. B.  
 Withers,  
 Woods,  
 Young.

Mr. Quattlebaum presented the Report of the Committee on Printing, in relation to printing the journals of the Convention, &c. : which was ordered to lie on the table, to be taken up in connection with the Report of the Engrossing Committee on the same subject.

Mr. Rhett asked leave to give the vote he would have given, if present, on certain resolutions adopted yesterday, suggesting amendments to the Constitution of the Confederate States of America ; and Mr. Rhett being called, answered "aye."

On motion of Mr. Ayer, leave of absence was granted to Mr. Stokes on account of indisposition.

Mr. Thomas Thomson offered the following resolutions, which were considered immediately, and were agreed to :

*Resolved*, That the President of this Convention is authorized and directed to issue his warrants upon the Treasury, in the usual form, for the payment of all sums of money allowed by the Convention.

*Resolved*, That the Clerk, Messenger, Door-keeper and

Engrossing Clerks of the Convention receive, severally, as compensation for their services, during the present sitting thereof, the same rate of payment, in proportion to the time they serve, as is allowed the same officers of the House of Representatives of this State.

*Resolved*, That the President of the Convention is authorized and directed to draw his warrant upon the Treasury for whatever sum may be reported to him by the Clerk as due for stationery, and any expenses incidental to his office, not otherwise directed to be paid by the Convention.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the sundry articles of furniture, now in St. Andrew's Hall, purchased and used by the Convention, be placed at the disposal and for the use of St. Andrew's Society.

Mr. Gadberry asked leave to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States; and Mr. Gadberry being called, answered "aye."

Mr. Logan asked to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Logan being called, answered "aye."

Mr. Charles asked to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Charles being called, answered "aye."

Mr. Campbell asked leave to record the vote he would have given, if present, on certain resolutions suggesting amendments to the Constitution of the Confederate States of America; and Mr. Campbell being called, answered "aye."

Mr. W. P. Shingler asked leave to record the vote he would have given, if present, on certain resolutions sug-

gesting amendments to the Constitution of the Confederate States of America; and Mr. Shingler being called, answered "aye."

Mr. Withers offered the following resolution, which was ordered to lie on the table:

*Resolved*, That in case a vacancy shall arise, from any cause, in the delegation from this State to the Congress of the Confederate States of America, the Governor of this State be, and he is hereby, authorized to supply such vacancy by appointment, should he think fit.

On motion of Mr. J. I. Middleton, the Convention went into

#### SECRET SESSION.

The Convention resumed the consideration of the Report of the Committee on the Military and the accompanying resolutions, together with the amendment thereto, offered by Mr. Orr.

Mr. Orr withdrew his amendment.

Mr. Perrin offered the following amendment, which was agreed to:

*Resolved*, That it is the sense of this Convention that the sudden call which was gallantly answered by the first Regiment of South Carolina Volunteers, now in the service, and the valuable services which that regiment has rendered, give it a just claim to an honorable discharge as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit; but that if it should be the desire of the said Regiment to prolong its service, then it shall —

The resolution, as amended, was agreed to.

The remaining resolutions of the series were agreed to; and were ordered to be engrossed, and to be signed by the President and the Clerk.

The Convention proceeded to the consideration of an

Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America; which was unanimously agreed to, and was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Spain, leave of absence was granted to Mr. English, on account of urgent professional business of a public nature.

On motion of Mr. Spain, leave of absence was granted to Mr. Mayes, on account of indisposition.

On motion of Mr. Orr, leave of absence was granted to Mr. Lewis, on account of sickness in his family.

Mr. Manigault offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Colonels of the Regiments which have volunteered their services to the State, shall not be required to give bonds for the safe keeping of arms issued to their respective Regiments, and to take similar bonds from the Captains under their command.

Mr. Simons, from the Committee on Engrossed Ordinances, presented the following Report, which was considered immediately, and was agreed to :

The Committee on Engrossed Ordinances, to whom it was referred :

*First*, to enquire and report "what resolutions and orders of the Convention, passed in secret session, and how much and what portion of the secret journal may now be made public without impropriety;" and

*Secondly*, to consider and report upon the following resolution, to wit: "*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America; and that the journals of this Convention and of its proceedings thereon, shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceed-



ings and debates of the Convention of the Congress assembled at Montgomery, which formed said Constitution," having considered these matters, beg leave to

#### REPORT :

That they were attended by the Clerk of the Convention, and with him carefully and minutely perused the journals of the secret sessions of this body, from the 22d day of December, A. D. 1860, when the Convention first sat with closed doors, until the present time. They find that the injunction of secrecy has already been removed from the Ordinances and the more important resolutions which have been adopted. Your Committee cannot say that the removal of the injunction of secrecy from the remainder of the transactions of the Convention, and their consequent publication is either improper or incompatible with the public interests.

There are a class of resolutions, the publication of which, it was objected in the Committee, might give rise to a misconception of the real views, and a misconstruction of the true action of this body. To these the attention of the Convention is invited.

On the 27th day of December of the last year, the morning after Major Anderson had, under cover of the night, dismantled and abandoned Fort Moultrie, and taken military and hostile occupation of Fort Sumter, a Delegate offered the following resolution :

" *Resolved*, That it is the sense of this Convention, that the occupation of Fort Sumter ought at once to be regarded as an authorized occupation, and vigorous military defences provided immediately ;" which was ordered to lie on the table. Many other resolutions to the same effect were, from time to time, presented, and were also either ordered to lie on the table or rejected. To remove the injunction of secrecy, and publish to the world these and kindred resolutions, it was suggested might lead to the idea that the Convention had, by their action on them, declined to entertain, or assert, and perhaps had denied, the principles therein



declared, and had thus placed themselves somewhat in opposition to the views expressed in their behalf by our Commissioners to the Government at Washington.

In this view your Committee do not concur. It is well known to the members of this body, that in truth and in fact, the Convention intended thereby to express no opinion as to the authority and character of Major Anderson's occupation, the same not having been then, as yet, affirmed, denied or adopted by the then Administration, and our Commissioners having, at that time, this, with other complicated and delicate questions, for explanation and, if possible, for adjustment. The reasons thus indicated, which induced the action of the Convention, do not, it is true, appear on the face of the journal or accompany the record; but this may be said of the proceedings in all legislative bodies, and which, therefore, at last, must, in a great measure, depend upon contemporaneous history for their explanation and vindication.

In reference to the publication of the debates on the subject of the adoption of the Constitution of the Confederate States of America, your Committee do not perceive how the same could be done under the authority of this body, as no official record of them was kept under its directions. They would, therefore, recommend the adoption of the following resolutions :

1. *Resolved*, That the injunction of secrecy be removed from all the transactions of this Convention in secret session, except in relation to the debates on the Constitution of the Confederate States of America, and the matter this day directed by the Convention to be kept secret.

2. *Resolved*, That as soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of Delegates, lately assembled at Montgomery, the injunction of secrecy shall likewise be removed from the debates of this Convention on the Constitution submitted for the Confederate States of America.

3. *Resolved*, That five hundred copies of the journal,

public and secret, and of the reports, resolutions and transactions of this Convention be printed, and separately five hundred copies in the following order :

1. All the Ordinances passed by the Convention, in the order of time, (except the Ordinance of Ratification;) together with
2. The Bills to amend the Constitution of this State, ratified during the late session of the General Assembly.
3. The Resolutions for engrossing the Constitution.
4. The Constitution of the State as engrossed.
5. The Constitution of the Provisional Government of the Confederate States of America.
6. The Constitution of the Confederate States of America.
7. The Ordinance of Ratification.
8. The Resolutions suggesting amendments.

And that the same be distributed as follows :

For the Executive, 10 copies; for the Legislative Library of the Congress at Montgomery, 5 copies; for the Legislative Library at Columbia, 5 copies; for the Libraries of the Court of Appeals at Columbia and Charleston, each 5 copies; for the members of the Convention, and members of the General Assembly of the State, each 1 copy; for the Governors of the several Confederate States, each 1 copy; for the Chief Justice and Associate Justices of the Court of Appeals, and for the Chancellors and Judges of the State, each 1 copy; for the College and various public Libraries in the State, each 1 copy; for the Attorney General, Solicitors, Secretary of State, Surveyor General and Treasurers of the Upper and Lower Division, each 1 copy for the use of their respective offices; and that the residue be distributed under the direction of the President of this Convention.

All of which is respectfully submitted.

THOMAS Y. SIMONS, *Chairman.*

On motion of Mr. Fair, leave of absence was granted to Mr. Watts, on account of important business.

An Ordinance, ceding the possession of the Forts, Arsenals, &c., to the Confederate States of America, (reported by the Committee on Relations with the slaveholding States of North America,) was taken up; and, on motion of Mr. Pope, was made the special order of the day for Monday next, at eleven o'clock, A. M.

On motion of Mr. Bobo, leave of absence was granted to Mr. Landrum, on account of important professional business.

Mr. Hayne offered the following resolution, which was ordered for consideration on Monday next:

*Resolved*, That the President, or in case of his death or absence from the State, any one of a Committee of three, now to be appointed by him, be authorized to call together this Convention at such time and place as may be deemed expedient, whenever the exigency of public affairs or the welfare of the State may require: *Provided*, that if this Convention is not called together before the first day of January, 1862, said Convention shall, on that day, stand adjourned *sine die*.

Mr. Whitner presented the following Report, which was ordered for consideration on Monday next:

The Special Committee appointed to "consider and report whether any, and if any, what measures ought to be adopted for the protection of suitors and parties to causes pending in Court," under circumstances enumerated in the resolution committed, have had the same under consideration, and respectfully report, that although great injury may result in a given case, such as seems to be contemplated by the resolution, from a stringent application of the rules of the various Courts in this State, yet the Committee hesitate to enlarge or restrain the discretion of those entrusted with the administration of justice, by an attempt to direct any specific mode in which that discretion shall be exercised, even under exigencies now existing.

On motion of Mr. Miles, leave of absence was granted to Mr. Snowden, on account of illness on his plantation.

On motion of Mr. Fair, the Convention was adjourned at forty-five minutes past four o'clock, P. M.

B. F. ARTIUR,

*Clerk of the Convention.*

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MONDAY APRIL 8, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. Daniel Du Pre.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,

Barron,

Beaty,

Bethea,

Brown, A. H.

Brown, C. P.

Buchanan,

Burnet,

Cain,

Calhoun,

Caldwell,

Campbell,

Carlisle,

Caughman,

Conner,

Davant,

Dunkin,

Du Pre,

Easley,

Evans,

Fair,

Flud,

Foster,

Furman,

Garlington,

Geiger,

Glover,

Gourdin, R. N.

Gourdin, T. L.

Gregg, William

Hammond,

Harlee,

Harrison,

Henderson,

Hunter,

Hutson,

Inglis,

Jackson,

Jefferies,

Jenkins, J. E.

Johnson,

Kershaw,

Kilgore,

Kinard,

Logan,

McCrady,

McIver,

McKee,

McLeod,	Sessions,
Mauldin,	Shingler, J. M.
Maxwell,	Shingler, W. P.
Mazyek,	Simons,
Means,	Simpson,
Middleton, J. Izard	Smith, J. J. P.
Moore,	Smith, Thomas
Moorman,	Spain,
Nowell,	Spratt,
O'Hear,	Springs,
Orr,	Sims,
Palmer,	Tinmons,
Parker,	Townsend,
Perrin,	Wier,
Porcher,	Williams,
Quattlebaum,	Wilson, I. D.
Reed,	Wilson, J. H.
Rhodes,	Withers,
Robinson,	Woods,
Rowell,	Young.
Scott,	

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication; which, on motion of Mr. Quattlebaum, was ordered to be entered on the Journal:

*To the Honorable, the President, and Convention of the  
State of South Carolina, in Charleston assembled:*

Having been honored by your body with an appointment of Commissioner to the State of Texas, with instructions to lay before her Convention an Ordinance of the State of South Carolina, by which she dissolved all connection with the Federal Government of the United States, &c., I beg leave to report that, as early as practicable after I received the intelligence, I repaired to Austin, having but meagre information of the political condition of the State, or whether I should find a Convention, authorized to control her destinies, and able to overcome the opposition of her Executive, who was known to entertain inveterate hostility to secession, and everything looking to resistance to Black



Republican dominion in the country, and who had interposed every obstacle in his power to check the spirit, and arrest the progress of the people, in their determination to vindicate the safety and honor of the State.

But I was greatly gratified, when I reached the seat of government, to find in session, both the Legislature of the State, and a large and intelligent Convention of Delegates, acting in concert, with a spirit, wisdom and patriotism, which I hazard nothing in saying, would do honor to any State on the continent.

Their Convention was the result of a spontaneous uprising of the people, who had the intelligence to understand their rights, and the spirit to maintain them against every obstacle. They had in vain exhausted all the means in their power, to induce the Executive to convene the Legislature, to call a Convention by the usual forms of law. He not only refused, but after they had elected Delegates to their Convention, he issued his proclamation calling the Legislature together, as is generally believed, to defeat the objects of the People's Convention, which in his message to the Legislature, he denounced, and utterly repudiated its authority to act.

The Legislature assembled before the Convention, and with great unanimity, by one of its first Acts, legalized, as far as they could do, the election of Delegates and the authority of the Convention to exercise the sovereignty and will of the people.

As the Commissioner from the State of South Carolina, I was received by that high-spirited and patriotic Convention, in a manner most complimentary to our State, and gratifying to me, and was allowed an early opportunity to discharge the duties of my mission.

In obedience to the instructions of your honorable body, I presented the Ordinance of Secession of our State, and other accompanying documents, and also invited them, in the event of their secession, to unite with us, and other seceding Southern States, in the formation of a Confede-

raey, and with that view, to send Delegates to a Convention to be held at Montgomery.

The response of the noble State of Texas, through her patriotic and intelligent representatives, and indeed, through the ballot box, by the people themselves, with very great unanimity, is too well known to your honorable body, and to the country, to require detailed information from me. It is most gratifying to know, that with her vast and rich domain, with resources, when developed, sufficient for empires, with millions of inhabitants, though opposed at every step, by the legally constituted head of the then Government of the State, in the person of her eccentric Executive, and exposed upon her entire western and northern border by three distinct classes of most unprincipled enemies, to wit: Indians, Mexicans, and Abolitionists, she has had the wisdom, and the spirit to cast from her, forever, the shackles of an arrogant, desolating tyranny, and unite her destinies with those of the Confederate States of the South, where I trust she shall be estimated according to her worth: protected as she evidently deserves to be, and never again be united, in any union whatever, with a non-slaveholding or fanatical people.

All of which is respectfully submitted.

I have the honor to be,

Your obedient servant,

JNO. McQUEEN.

*April 5th, 1861.*

Mr. Simons presented the Report of the Committee on Engrossed Ordinances, together with certain resolutions; which was considered immediately, and was agreed to.

Mr. Simons offered the following resolution; which was considered immediately, and was agreed to:

*Resolved*, That the President of this Convention be authorized to draw his draft on the Treasury, countersigned by the Cashier, for the payment of the gas consumed during the session of this Convention, and also for the fees of the keeper of the St. Andrew's Hall, usual and customary.

Mr. Simons offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That there be allowed C. D. Melton, Esq., the Solicitor in attendance on this Convention, the same per diem and mileage as is allowed to the members of the Convention ; and that the President of this Convention be authorized to draw his draft on the Treasury, countersigned by the Cashier, for the same.

Mr. Thomson, from the Committee on Accounts, made the following Report, which was considered immediately, and was agreed to :

The Committee on Accounts, to whom was referred the account of Gilbert & Darr, for advertising, ask leave to report that they have no objection to the claim presented. As this, however, is the only claim for advertising of which payment is asked, your Committee are of opinion that such claims, which may be numerous, may be, with propriety, referred to the Legislature ; and recommend the adoption of the following resolution :

*Resolved*, That accounts for advertising the assembling and re-assembling of the Convention, be referred to the consideration of the Legislature ; and that payment, if allowed, be made according to the rules and practice of that body.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That B. S. Baruc be paid, for engrossing on parchment the Constitution of this State and materials used, the sum of \$168.

On motion of Mr. Dunkin, the vote by which the Report of the Committee on Engrossed Ordinances, and the accompanying resolutions, were agreed to, was reconsidered, and

on motion of Mr. McIver, the Report and Resolutions were recommitted to the Committee.

An Ordinance to repeal in part and alter in part the Ordinance, entitled "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department," was agreed to, and was ordered to be signed by the President and the Clerk.

On motion of Mr. Townsend, the Convention went into secret session, and after some time passed therein, the doors were opened.

On motion of Mr. A. H. Brown, the Convention proceeded to the consideration of the following Resolution:

*Resolved*, That the People of South Carolina, in Convention assembled, cordially approve of the election of Jefferson Davis to the Presidency, and Alexander H. Stevens to the Vice-Presidency of the Provisional Government of the Confederate States of America, and have entire confidence in their experience, patriotism and ability to guide the destinies of the new Republic.

The resolution was agreed to.

Mr. Pope offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That a copy of the resolution just passed, expressing our confidence in the President and Vice-President of the Confederate States, be forwarded to each by the President of this body.

The Constitution of the State of South Carolina having been engrossed, was read by the Clerk, was ratified, and was signed by the President and the Clerk.

On motion of Mr. Townsend, the Convention went into

#### SECRET SESSION.

Mr. Townsend offered the following resolution:

*Resolved*, As the opinion of this Convention, that our

military posts at Morris' and Sullivan's Island ought to be immediately strengthened by large reinforcements, and for this purpose that the Governor be requested to call into the service of the State, with as little delay as possible, three thousand volunteers, or more, if deemed necessary, for the immediate protection of this harbor.

Mr. Hayne offered the following amendment :

“That it be referred to the Governor, upon consultation with Gen. Beauregard, to determine whether there should not be an immediate call for three thousand volunteers, or more, if deemed necessary, for the immediate protection of this harbor.”

Mr. Simons offered the following amendment :

*Resolved*, That his Excellency the Governor be requested to place the military operations in and around the harbor of Charleston, under the charge and control of Brigadier-General Beauregard, or whoever may be in command under the authority of the Confederate States; and be authorized to place at his disposal such portions of the Division of Volunteers as Gen. Beauregard, or the Confederate commander, may from time to time deem necessary.

Mr. Chesnut offered the following amendment :

*Resolved*, That this Convention, having full confidence in the ability and fidelity of the constituted authorities of this State, and of the General in command of the harbor of Charleston, declines to direct or advise them in the discharge of their duty.

Mr. Mazyck moved that the resolutions be committed to the Committee on the Military.

On motion of Mr. Kershaw, the motion to commit was ordered to lie on the table.



On motion of Mr. Reed, the resolutions and the amendments were ordered to lie on the table, and

Mr. Reed offered the following:

*Resolved*, That this Convention approves of the action of the Governor, in placing the forces for the military defence of Charleston under the command of Gen. Beauregard, and that he be authorized to call into the field immediately such number of the Volunteer Regiments, raised under the Act of Assembly, as Gen. Beauregard may require for the operations under his control; the whole force to be placed under the command of Gen. Beauregard, or such other general officer as may be ordered to the same command by the authorities of the Confederate States of America.

On motion of Mr. Withers, the consideration of the resolution was passed over for the present.

### SPECIAL ORDER.

On motion of Mr. Withers, the Convention proceeded to the consideration of an Ordinance ceding the possession of the forts, arsenals, &c., to the Confederate States of America; which had been made the special order of the day for this day, at eleven o'clock, A. M.

Mr. J. J. P. Smith offered the following amendment:

### AN ORDINANCE

To transfer to the Government of the Confederate States of America the use and occupancy of the forts, arsenals, navy yards, custom houses and other public sites within the limits of this State.

*We, the People of South Carolina, in Convention assembled, do ordain and declare, and it is hereby ordained and declared, by the authority of the same, That the Government of the Confederate States of America is hereby authorized to*

occupy, use and hold possession of all forts, navy yards, arsenals, custom houses and other public sites within the limits of this State, and their appurtenances, lately in the possession of the United States of America, together with Fort Sumter, and to repair, rebuild and control the same at its discretion, until this Ordinance be repealed by a Convention of the People of this State.

The Ordinance was agreed to, was ordered to be engrossed, and to be signed by the President and the Clerk.

On motion of Mr. Withers, the injunction of secrecy was removed from the Ordinance, and it was

*Resolved*, That a certified copy of the Ordinance to transfer to the Government of the Confederate States of America the use and occupancy of the forts, arsenals, navy yards, custom houses and other public sites within the limits of this State, be sent to the President of the Confederate States of America.

Mr. J. J. P. Smith moved to reconsider the vote by which the Report of the Committee on Printing, recommending the printing of the reports, resolutions and secret journal of the Convention, &c., was agreed to.

On motion of Mr. Orr, the motion to reconsider was ordered to lie on the table.

Mr. Orr offered the following resolution :

*Resolved*, That this Convention highly appreciates the patriotic conduct of Benjamin Mordecai in generously making a donation of the sum of \$10,000 to the constituted authorities of South Carolina, to aid the State in maintaining its independence.

Mr. Furman offered the following amendment, which was accepted by the mover of the resolution, and was agreed to :

*Resolved*, That this Convention highly appreciate the generosity and public spirit of those citizens and friends of the State who have contributed money and labor for the benefit of the State; and take pleasure in noticing particularly the liberality and patriotism of Benjamin Mordecai, Esquire, in making the first and very generous donation.

Mr. Harlee, from the Committee on the Military, made a report, and reported the following resolutions, which were considered immediately, and were agreed to:

*Resolved*, That the Governor be and he is hereby authorized to commission the officers of any Volunteer company which may be formed in any of the districts adjacent to the sea-coast, for local service: *Provided*, That no such commission shall be issued without the written consent and approbation of the commanding officers of the Regiment, Battalion and Company respectively, within the limits of which such volunteer company shall have been formed: *And provided, also*, that such commissions shall not continue longer than ten days after the close of the next regular session of the Legislature; *Provided, also*, that said companies shall consist of not less than thirty, rank and file, besides commissioned and non-commissioned officers.

On motion of Mr. Harlee, the resolution was ordered to be engrossed, and the injunction of secrecy removed.

Mr. Inglis offered the following resolutions, which were unanimously agreed to:

*Resolved*, That the alacrity with which the Regiment of Rifles, and the several Volunteer Companies of the city, the First Regiment of South Carolina Volunteers, and the Regiment and Battalion of enlisted men, and their various officers, and the several individuals in the capacity of Aids to the Governor, Engineers and otherwise, responded to the call of the State in her hour of peril and doubtful fortunes; the patient cheerfulness with which they have submitted to the extraordinary privations incident to the suddenness of

the emergency; their diligence in labors new and unusual, the degree of skill, discipline and efficiency attained in the short interval which has succeeded, and the amount of useful service already rendered, entitle them all, both officers and privates, to the hearty commendations and gratitude of the people, and justify the State in regarding them with honest pride.

*Resolved*, That this Convention, on behalf of the people of this State, repose entire confidence in the eminent professional skill, courage and sound judgment of Brigadier General P. G. T. Beauregard, and in the intelligent and efficient co-operation of the various members of his Staff, and other assistants, military and naval, and respectfully tender to them, and to the various forces in the service, and individuals designated, the thanks of the State for their successful efforts thus far, to protect the honor and interests of the State.

*Resolved*, That if Fort Sumter shall fall into the hands of our present Government, and the harbor of Charleston shall be relieved from all hostile occupation or obstruction, although without any actual conflict of arms, such result will be not the less achieved by our forces aforesaid, and their wise and effective operations.

*Resolved*, That the foregoing resolutions be communicated to General Beauregard, with a request that he extend them to the various Regiments, Battalions and separate Companies, and to his Staff and assistants, in such form and manner as he shall judge expedient.

On motion of Mr. Inglis, the injunction of secrecy was removed from the resolutions.

Mr. Porcher presented the accounts of S. Brady, Webb & Sage, and Lambert & Howell; which were respectively referred to the Committee on Accounts.

The Convention resumed the consideration of the resolution (offered by Mr. Reed) in relation to the forces for the defence of Charleston harbor.

The resolution was agreed to; and, on motion of Mr.

Reed, a copy thereof was ordered to be sent to his Excellency, the Governor, and to General Beauregard; and the injunction of secrecy removed.

On motion of Mr. Reed, it was

*Ordered*, That when the Convention adjourns, it shall be adjourned to meet to-morrow, at eleven o'clock, A. M.

On motion of Mr. Fair, leave of absence was granted to Mr. Williams on account of important business.

On motion of Mr. Orr, leave of absence was granted to Mr. Whitner, on account of official duties.

On motion of Mr. Hayne, the Convention proceeded to the consideration of the following resolution :

*Resolved*, That the President, or in case of his death or absence from the State, or in case of his inability to act, any one of a Committee of three, now to be appointed by him, be authorized to call together this Convention at such time and place as may be deemed expedient, whenever the exigency of public affairs or the welfare of the State may require; *Provided*, that if this Convention is not called together before the first day of January, 1862, it shall on that day, be dissolved.

Mr. Evans offered the following amendment, which, on motion of Mr. Fair, was ordered to lie on the table :

*Resolved*, That this Convention, to-morrow on its adjournment, be dissolved.

Mr. Simons offered the following amendment, which was agreed to :

*Resolved*, That when this Convention adjourns, it shall be adjourned to meet at such time and place as the President shall appoint, who is authorized, if in his opinion, the public exigencies shall require, by notice under his hand duly published, to assemble the Convention at any time



before the first day of January ensuing; and that he appoint a Committee of five, a majority of whom, or the survivors or survivor of such majority, in case of the death or disqualification of the President, shall have like authority to assemble the Convention, and appoint a time and place for its meeting; and, in case the Convention should not be so assembled before the first day of January ensuing, then this Convention shall be dissolved.

Mr. Thomas Thomson offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the same compensation be allowed the members of this Convention during its present sitting, as members of the Legislature receive ; and that the President issue certificates or warrants therefor, in the usual form.

On motion of Mr. Pope, the Convention was adjourned at thirty minutes past four o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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## TUESDAY, APRIL 9, 1861.

At the hour to which the Convention was adjourned, the President took the chair, and the proceedings were opened with prayer by the Rev. D. P. Robinson.

The Clerk called the Roll, and the following Delegates answered to their names :

Messrs. Allison,  
Appleby,  
Atkinson,  
Ayer,  
Barron,  
Beaty,

Bethea,  
Bellinger,  
Bobo,  
Brown, A. H.  
Buchanan,  
Cain,

Calhoun,	Kinard,
Caldwell,	Kinsler,
Carlisle,	McCrary,
Carroll,	McIver,
Caughman,	McKee,
Charles,	McLeod,
Chesnut,	Magrath,
Cheves,	Mauldin,
Darby,	Maxwell,
Davant,	Mazyek,
De Saussure,	Means,
De Treville,	Middleton, J. Izard
Duncan,	Miles,
Dunkin,	Moore,
Du Pre,	Moorman,
Easley,	Noble,
Ellis,	Nowell,
Evans,	O'Hear,
Fair,	Orr,
Flud,	Palmer,
Foster,	Parker,
Furman,	Pope,
Garlington,	Quattlebaum,
Geiger,	Reed,
Gist,	Rhodes,
Glover,	Richardson, J. P.
Gourdin, R. N.	Robinson,
Gourdin, T. L.	Rowell,
Hammond,	Scott,
Harlee,	Sessions,
Harrison,	Shingler, J. M.
Hayne,	Shingler, W. P.
Henderson,	Simons,
Honour,	Simpson,
Hunter,	Smith, J. J. P.
Hutson,	Smith, Thomas
Inglis,	Spratt,
Ingram,	Springs,
Jackson,	Sims,
Jefferies,	Thomson, Thomas
Jenkins, John	Timmons,
Jenkins, J. E.	Townsend,
Johnson,	Wardlaw, D. L.
Kershaw,	Wier,
Kilgore,	Williams,

Wilson, I. D.  
Wilson, J. H.

Woods,  
Young.

The Journal of yesterday's proceedings was read.

The President announced the following Committee, appointed under a Resolution, to call the Convention together in the event of the death or disqualification of the President :

Messrs. B. F. Dunkin,  
D. L. Wardlaw,  
R. W. Barnwell,  
R. B. Rhett,  
W. W. Harlee.

Mr. Ayer offered the following Resolution, which was not seconded, and was, therefore, ordered to lie on the table :

*Resolved*, That it be referred to the Committee on the Constitution to inquire, and if deemed expedient, to report an Ordinance to alter and amend the Constitution of this State, in such manner that the number of representatives shall never exceed twenty that any incorporated Town or City, whatever its population or wealth may be, may elect to the more numerous branch of the Legislature.

Mr. Ayer offered the following resolution, which was not seconded, and was, therefore, ordered to lie on the table :

*Resolved*, That more effectually to protect and render secure the political rights of minorities under our republican system of government, the Constitution of this State should be so altered and amended as to confer on every voter in elections for the Legislature the privilege of casting as many ballots as his election district may be entitled to members, and the privilege of giving, if he so chooses, the whole number of his votes for any single candidate, or of dividing them in such proportions as he may see fit to do among any less number than the whole number to be elected.

Mr. Thomas Thomson presented the Report of the Com-

mittee on Accounts on the accounts of S. Brady, Webb & Sage, and Lambert & Howell; which was considered immediately, and was agreed to.

Mr. Simons presented the Report of the Committee on Engrossed Ordinances, which was considered immediately, and was agreed to.

Mr. Bobo stated that he had received intelligence that Mr. William Curtis had been prevented from attending this session of the Convention on account of serious personal injuries received; and, on motion of Mr. Bobo, Mr. Curtis was excused, for the reason assigned.

On motion of Mr. John Izard Middleton, the Convention resolved itself into a Committee of the Whole, Mr. D. L. Wardlaw in the chair.

Mr. John Izard Middleton offered the following resolution, which was agreed to :

*Resolved, unanimously,* That the thanks of this Convention are due and are hereby tendered to Hon. D. F. Jamison for the courtesy, dignity, impartiality and ability with which he has discharged his duties as its presiding officer.

On motion of Mr. Quattlebaum, the Committee rose, and the Chairman reported to the Convention the resolution adopted by the Committee.

The President said :

*Gentlemen of the Convention—*

When first called upon, by your kindness, to preside over the gravest, the ablest, and the most courteous body of gentlemen with whom I have ever been associated in a political life, extending, now, to more than twenty-five years, I was greatly overcome by your confidence, for a compliment as unexpected as, I felt, it was unmerited, and now I am willing to construe this renewed expression of your kindness into a tribute to good intentions, rather than to good deeds.

By your acts, during the twenty days of your first session, you have added more than one page to history which

will survive: for men will love to look on the opening incidents of a revolution, conducted with a dignity, calmness, propriety, and an inflexible pursuit of right, which has few examples in past times.

Within the brief interval of less than three months between your first session and this, many striking incidents have been crowded, which might, also, become history; but the doubts, fears, struggles, anxieties and hopes deferred, and then the gradual increase of confidence from increased strength and resources, are only fully known to the few, who acted the chief part in the trying scenes of this winter; and they, if they could, probably, will not write its history.

This revolution, so far, has been bloodless. What a glorious consummation it would have been! What a triumph of civilization and Christianity, if the great principles involved in this movement could have been successfully achieved, without shedding a single drop of human blood! But now it seems to be otherwise. While I am yet speaking, a hostile fleet is said to be approaching our shores, and before the coming night closes over us, the sands of Morris' Island may be stained with the best blood of our people. May God show the right!

I congratulate you, gentlemen, at the close of your labors, on the adoption of a Constitution which, I trust, will be found little less than perfect. There are, I admit, clauses and omissions which render it much less acceptable to me, but I am far from attaching as great importance to any written Constitutions as many appear to do. Written Constitutions are but as landmarks to point out the route to be followed; and all experience of the past, most clearly demonstrates that a Government will be just suited to the capacities, genius and character of a people, and it will be either free or despotic, as the people themselves will be found to deserve the one form or the other. Why, it may be asked, is it, that the civilization of the Eastern nations of the Semitic race has been so unproductive of results beneficial to contemporaneous or subsequent times?—that we hold of them no literature, no law, no principle of gov-



ernment or social amelioration? It is because their government was a stern despotism, which interposed an immeasurable distance between the throne and the people; and, it may be added, because their religion was a gloomy and degrading superstition, which bowed down to the creature instead of to the Creator. Where is the British Constitution written? Not on paper, but in the traditions and memories of the dominant portion of a race who, through a thousand years of trial and suffering, vindicated their rights to a liberal Government. Where is the Constitution of the French to be found? Not in Jacobin Clubs, nor in the romanesque reveries of Vergniaud, Madame Roland and Brissot de Warville; not in the "Three Days of July," nor in the fanciful theories of Lamartine, and in his impracticable doctrines of "Liberty, Equality and Fraternity," but in the will of an absolute monarch, who preserves order and restrains insurrection by half a million of armed men. Where did Black Republicanism get its teachings? Not from the Constitution of the United States, but from the doctrines of a "Higher Law" and an Irrepressible Conflict.

If, therefore, we are wise, if we are virtuous, if we are true to ourselves, the Constitution, which we have adopted, will last for generations to come. If we are not, no written Constitution, however guarded, will avail us long.

Permit me, now, gentlemen, at this parting moment—and we part at a moment of un conjecturable events—to offer, to each of you, my best wishes for your present and future welfare; and to repeat my profound thanks for all your confidence and kindness.

On motion of Mr. Pope, the Convention went into

### SECRET SESSION.

The Convention proceeded to the consideration of the following Resolution:

*Resolved*, That in case a vacancy shall arise, from any cause, in the Delegation from this State to the Provisional

Congress of the Confederate States of America, the Governor of this State be, and he is hereby authorized to supply such vacancy by appointment, should he think fit.

Mr. Miles offered the following amendment, which was agreed to :

*Resolved*, That in case a vacancy shall arise from any cause, in the delegation from this State to the Provisional Congress of the Confederate States of America, and in case the Convention should not then be in session, the President of this Convention, or in case of his death or disqualification, the Committee of five who have been empowered in a certain contingency to reassemble the Convention, be authorized to fill such vacancy by appointment.

Mr. Bobo offered the following amendment, which was agreed to :

*Provided*, The appointment be made of some person residing in a Congressional District not already represented in the Congress.

The Resolution, as amended, was agreed to.

Mr. Simons, from the Committee on Engrossed Ordinances, made the following report, which was considered immediately, and was agreed to :

The Committee on Engrossed Ordinances beg leave to Report, that the following Ordinances and Resolutions referred to them, have been duly engrossed and ratified by the signature of the President, and the attestation of the Clerk of the Convention, to wit:

1. An Ordinance to ratify the Constitution of the Confederate States of America.
2. The Resolutions, suggesting amendments thereto.
3. An Ordinance to amend "An Ordinance concerning Citizenship."
4. An Ordinance to repeal sundry Ordinances, and to

alter the fourth Article, and sundry sections of the Constitution.

5. An Ordinance to alter the tenth section of the first Article of the Constitution of the State of South Carolina, and the amendment thereof, ratified the twenty-eighth day of January, one thousand eight hundred and sixty-one ; also, to alter the tenth section of the amendments ratified on the seventeenth day of December, eighteen hundred and eight, and likewise the second clause of the eleventh Article of the Constitution aforesaid.

6. An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America.

7. An Ordinance to repeal in part and alter in part the Ordinance entitled "An Ordinance to amend the Constitution of the State of South Carolina, in respect to the Executive Department."

8. An Ordinance to transfer to the Government of the Confederate States of America, the use and occupancy of the forts, arsenals, navy-yards, custom-houses, and other public sites within the limits of this State.

9. A Resolution to provide for the transfer of arms, ordnance, and munitions of war, by this State to the Government of the Confederate States of America.

10. A Resolution to provide for the transfer of the regular enlisted troops of this State to the Government of the Confederate States.

11. Resolutions to provide for tendering a volunteer force to the Confederate States.

12. A Resolution authorizing the Governor to commission officers of Volunteer Companies in certain cases.

All of which is respectfully submitted.

THOS. Y. SIMONS,  
*Chairman.*

The Convention proceeded to the consideration of the Report of the Committee appointed to ascertain and report how much of the legislation of Congress had been abro-

gated by the secession of the State, and, on motion of Mr. Chesnut, the Report was ordered to lie on the table.

Mr. John Jenkins stated that Mr. G. W. Seabrook had been prevented from attending the present session of the Convention by sickness and death in his family; and, on motion of Mr. Jenkins, Mr. Seabrook was excused for the reason assigned.

On motion of Mr. De Treville, it was ordered, that when the Convention adjourns, it shall be adjourned to meet tomorrow at 11 o'clock, A. M.

The President stated that Mr. F. J. Porcher, Cashier, and Mr. B. H. Rutledge, Deputy Cashier, were prevented from attending the Convention by their military engagements; and the President announced that Mr. T. M. Hanckel is appointed Deputy Cashier of the Convention.

Mr. Chesnut offered the following resolution, which was considered immediately, and was agreed to:

*Resolved*, That this Convention having disposed of all the business before them, a Committee of three be appointed to visit the Governor and the Commander of the Forces in the harbor of Charleston, and invite them to make such communication to the Convention as they, or either of them, may deem expedient.

Whereupon, the President appointed the following gentlemen of the Committee:

Messrs. James Chesnut,  
I. W. Hayne,  
Langdon Cheves.

On motion of Mr. Evans, leave of absence was granted to Mr. Harlee, on account of illness in his family.

On motion of Mr. D. L. Wardlaw, leave of absence was granted to Mr. Johnson, on account of pressing engagements.

On motion of Mr. Cheves, leave of absence was granted to Mr. Rhodes on account of urgent domestic affairs.

On motion of Mr. Bobo, leave of absence was granted to Mr. Foster, on account of military duties.

On motion, the Convention was adjourned at two o'clock, P. M.

B. F. ARTHUR,  
*Clerk of the Convention.*

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WEDNESDAY, APRIL 10, 1861.

At the hour to which the Convention was adjourned, the President took the Chair, and the proceedings were opened with prayer by the Rev. J. M. Timmons.

The Clerk called the Roll, and the following Delegates answered to their names:

Messrs. Allison,	De Saussure,
Appleby,	De Treville,
Atkinson,	Dunkin,
Ayer,	Du Pre,
Barron,	Easley,
Barton,	Ellis,
Beaty,	Fair,
Bethea,	Flud,
Bellinger,	Garlington,
Bobo,	Geiger,
Brown, A. H.	Gist,
Buchanan,	Glover,
Cain,	Gourdin, R. N.
Calhoun,	Gourdin, T. L.
Caldwell,	Hammond,
Carlisle,	Hanckel,
Carroll,	Harrison,
Caughman,	Hayne,
Charles,	Henderson,
Chesnut,	Honour,
Cheves,	Hunter,
Clarke,	Hutson,
Darby,	Inglis,
Davant,	Ingram,



Jackson,	Quattlebaum,
Jefferies,	Reed,
Jenkins, J. E.	Robinson,
Kilgore,	Rowell,
Kinard,	Scott,
Kinsler,	Shingler, J. M.
McCrady,	Shingler, W. P.
McIver,	Simons,
McKee,	Simpson,
Mauldin,	Smith, J. J. P.
Maxwell,	Smith, Thomas
Means,	Spratt,
Middleton, J. Izard	Springs,
Middleton, W.	Sims,
Miles,	Thomson, Thomas
Moore,	Timmons,
Moorman,	Townsend,
Orr,	Wardlaw, D. L.
Palmer,	Wier,
Parker,	Wilson, J. H.
Perrin,	Woods,
Pope,	Young.

The Journal of yesterday's proceedings was read.

The President laid before the Convention the following communication, which, on motion of Mr. Reed, was ordered to be entered on the Journal:

HEADQUARTERS PROVISIONAL FORCES,  
*Charleston, South Carolina.*

HON. D. F. JAMISON, *President of the*  
*Convention, State of South Carolina:*

SIR: I had the honor this morning of receiving, through a Committee of your State Convention, its resolutions, expressing confidence in my professional skill, courage and sound judgment, and in the efficient co-operation of the several members of my staff, and other assistants, military and naval, and tendering to the individuals designated and to the various forces in the service, the thanks of the State for their successful efforts thus far, in protecting the honor and interests of the State.

Allow me, sir, through you, to thank the honorable body over which you preside, for this evidence of their kindness to myself and assistants, and to the forces under my orders. I feel highly gratified that in so short a time it has been my good fortune to meet your approbation in the discharge of my official duties, and it is a source of pride for me to state that I feel much indebted for the expression of your resolutions to the active and willing co-operation of every one under my command. Never have I seen a more universal exhibition of determination and self-denial on the part of individuals for the promotion of any cause, than that of the forces under my command for the accomplishment of the great object we have in view. Encouraged by the great trust imposed in them, I can confidently express the hope that all under my command will continue to merit your approbation. It will be my pleasure to communicate to the troops and others under my orders, the substance of your flattering resolutions.

I am, sir, very respectfully,

Your obedient servant,

P. G. T. BEAUREGARD,  
*Brigadier-General Commanding.*

Mr. Inglis offered the following resolutions, which were considered immediately, and were *unanimously* agreed to :

*Resolved*, That in the resolutions of commendation and thanks to the organized forces and individual officers employed in the military and naval service of the State, it was the purpose of the Convention to have expressed, as was felt, the sentiments therein conveyed towards all the various organized bodies of men and individuals who had been employed; and if, owing to our want of acquaintance with the precise relations existing among the bodies and individuals, the terms of the resolutions proved not large enough to have embraced them all, it would be unjust to this Convention, and to those omitted an occasion of profound regret, that such omission should be supposed to have been designed.

*Resolved*, That the commanding General be requested, in communicating the said resolutions, to state that under the terms used by the State Convention, it was its purpose to express its just appreciation of the patriotism and zealous devotion to the cause of the State of all the men and officers, in whatever department of the service—volunteers, or regulars, regiments, battalions or companies.

Mr. Reed offered the following resolutions, which were agreed to:

*Resolved*, That the patriotic devotion and loyalty exhibited by Brevet Major-General David E. Twiggs, late of the United States Army, to the rights and interests of the South, by resigning his commission and turning over the public property under his control to the authorities of the State of Texas, upon its secession from the Union, eminently entitles him to the gratitude of the Confederate States of America; and the thanks of the people of South Carolina are hereby most cordially tendered to him.

*Resolved*, That a copy of the foregoing resolution be communicated to General Twiggs by the President of this Convention.

Mr. Chesnut presented the following Report, which was considered immediately and was agreed to:

The Committee appointed to visit his Excellency the Governor and the Commander of the Forces, beg leave to Report that they have waited on these gentlemen and are informed that the provisions already made by the Convention are deemed by them adequate to all probable emergencies, and that they have, therefore, no further communication to submit.

Mr. Simons moved that the Convention do now adjourn, subject to the provisions of the resolution heretofore agreed

to; and the question being put, will the Convention agree thereto? it passed in the affirmative:

Yeas, 62; nays, 32.

The yeas and nays were demanded, and are as follows:

Those who voted in the affirmative are:

Hon. D. F. JAMISON, *President*; and

Messrs. Allison,	Jenkins, J. E.
Appleby,	Kilgore,
Atkinson,	Kinard,
Ayer,	McLeod,
Barron,	Magrath,
Barton,	Mauldin,
Beaty,	Maxwell,
Bethea,	Mazyek,
Bellinger,	Means,
Calhoun,	Moore,
Carlisle,	Orr,
Carroll,	Palmer,
Caughman,	Parker,
Cheves,	Reed,
Davant,	Robinson,
De Saussure,	Rowell,
Duncan,	Scott,
Du Pre,	Shingler, J. M.
Easley,	Shingler, W. P.
Ellis,	Simons,
Garlington,	Smith, Thomas
Geiger,	Spratt,
Hammond,	Springs,
Harrison,	Sims,
Hayne,	Thomson, Thomas
Henderson,	Timmons,
Honour,	Wier,
Hunter,	Wilson, J. H.
Hutson,	Woods,
Jackson,	Young.
Jefferies,	

Those who voted in the negative are:

Messrs. Bobo,	Caldwell,
Brown, A. H.	Clarke,
Buchanan,	Darby,
Cain,	De Treville,

Fair,	Middleton, W.
Flud,	Miles,
Furman,	Moorman,
Gist,	Nowell,
Glover,	O'Hear,
Gourdin, R. N.	Pope,
Hanckel,	Quattlebaum,
Inglis.	Richardson, J. P.
Kinsler,	Simpson,
McCrady,	Smith, J. J. P.
McKee,	Townsend,
Middleton, J. Izard	Wardlaw, D. L.

So the motion was agreed to; and the Convention was adjourned in accordance with the provisions of the resolutions.

B. F. ARTHUR,

*Clerk of the Convention.*



# ALPHABETICAL LIST

## OF THE

### MEMBERS OF THE CONVENTION,

DECEMBER 17, 1860.

*With their Post-Offices and Election Districts.*

NAME.	DISTRICT.	POST-OFFICE.
✓ D. F. JAMISON, <i>Pres't.</i>	Barnwell.....	Midway.
✓ ADAMS, James H.....	Richland .....	Gadsden.
✓ ALLISON, R. T.....	York.....	Meek's Hill.
✓ APPLEBY, D. C.....	St. George's, Dorchester....	Branchville.
✓ ATKINSON, S. T.....	Winyaw .....	Georgetown.
✓ AYER, L. M.....	Barnwell.....	Buford's Bridge.
✓ BARNWELL, R. W.....	St. Helena.....	Beaufort.
✓ BARRON, A. I.....	York.....	Yorkville.
✓ BARTON, D. R.....	Orange .....	Branchville.
✓ BEATY, T. W.....	Horry.....	Conwayboro.
✓ BETHEA, A. W.....	Marion .....	Little Rock.
✓ BELLINGER, E. St. P.....	St. Bartholomew's .....	Walterboro.
✓ BOBO, S.....	Spartanburg.....	Spartanburg C. H.
✓ BONNEAU, P. P.....	Christ Church .....	Haddrell's.
✓ BRABHAM, J. J.....	Barnwell.....	Buford's Bridge.
✓ BROWN, A. H.....	St. Andrew's.....	Charleston.
✓ BROWN, C. P.....	St. James', Goose Creek....	Charleston.
✓ BUCHANAN, J.....	Fairfield .....	Winnsboro'.
✓ BURNET, A. W.....	St. Philip and St. Michael ..	Charleston.
✓ CAIN, W.....	St. John's, Berkley.....	Black Oak.
✓ CALHOUN, John A.....	Abbeville .....	Abbeville C. H.
✓ CALDWELL, Joseph.....	Newberry.....	Mount Bethel.

NAME.	DISTRICT.	POST-OFFICE.
CAMPBELL, William H.	Greenville.....	Greenville C. H.
✓ CARN, M. E.	St. Bartholomew's.....	Walterboro'.
✓ CARLISLE, James H.	Spartanburg .....	Spartanburg C. H.
CARROLL, J. P.	Edgefield .....	Aiken.
CAUGHMAN, H. I.	Lexington .....	Lexington C. H.
CAUTHEN, W. C.	Lancaster.....	Hanging Rock.
CHARLES, E. W.	Darlington .....	Darlington C. H.
CHESNUT, James, Jr.	Kershaw.....	Camden.
✓ CHEVES, Langdon.....	St. Peter's .....	Savannah, Ga.
CLARKE, E. M.	St. Andrew's.....	Charleston.
*CONNER, H. W.	St. Philip and St. Michael.	Charleston.
CRAWFORD, R. L.	Lancaster .....	Lancaster C. H.
CURTIS, William.....	Spartanburg.....	Limestone Springs.
✓ DARBY, A. T.	St. Mathew's .....	Fort Motte.
*DARGAN, J. A.	Darlington .....	Darlington C. H.
DAVANT, R. J.	St. Luke's .....	Gillisonville.
✓ DAVIS, H. C.	Fairfield .....	Ridgeway.
✓ DE SAUSSURE, W. F.	Richland.....	Columbia.
✓ DE TREVILLE, R.	St. Philip and St. Michael.	Charleston.
DOZIER, A. W.	Williamsburg.....	Johnsonville.
DUNCAN, Perry E.	Greenville.....	Greenville C. H.
DUNKIN, B. F.	Winyaw.....	Charleston.
DUNOVANT, A. Q.	Chester .....	Chesterville.
DUNOVANT, R. G. M.	Edgefield .....	Edgefield C. H.
DU PRE, D.	St. James', Santee..	South Santee Ferry.
EASLEY, W. K.	Greenville.....	Greenville C. H.
ELLIS, W. J.	Horry.....	Conwayboro'.
ENGLISH, T. R.	Sumter.....	Mayesville.
EVANS, C. D.	Marion .....	Marion C. H.
FAIR, Simeon.....	Newberry.....	Newberry C. H.
FINLEY, W. P.	Barnwell .....	Aiken.
FLUD, Daniel.....	St. George's, Dorchester..	Summerville.
FORSTER, A. M.	Winyaw .....	Georgetown.
✓ FOSTER, B. B.	Spartanburg.....	Glenn Springs.
FRAMPTON, J. E.	Prince William's .....	Pocotaligo.
FURMAN, J. C.	Greenville.....	Greenville C. H.
GADBERRY, James M.	Union.....	Union C. H.
GARLINGTON, H. W.	Laurens .....	Laurens C. H.

\* Deceased.

NAME.	DISTRICT.	POST-OFFICE.
GEIGER, J. C.....	Lexington.....	Sandy Run.
GIST, William H.....	Union.....	Union C. H.
GLOVER, T. W.....	Orange .....	Orangeburg.
GOODWIN, E. W.....	Marlboro' .....	Brightsville.
✓GOURDIN, R. N.....	St. Philip and St. Michael...	Charleston.
GOURDIN, T. L.....	St. Stephen's....	Pineville.
GREEN, H. D.....	Sumter .....	Mechanicsville.
✓GREGG, Maxcy .....	Richland.....	Columbia.
GREGG, William .....	Edgefield .....	Aiken.
GRISHAM, W. S.....	Pickens.....	Walhalla.
HAMMOND, A. J.....	Edgefield .....	Hamburg.
✓HANCKEL, T. M.....	St. Philip and St. Michael...	Charleston.
HARLLEE, W. W.....	Marion.....	Mars' Bluff.
✓HARRISON, James.....	Greenville.....	Cedar Falls.
HAYNE, I. W.....	St. Philip and St. Michael...	Charleston.
HENDERSON, E. R.....	St. Bartholomew's .....	Blue House.
HONOUR, J. H.....	St. Philip and St. Michael...	Charleston.
HOPKINS, William.....	Richland .....	Hopkins' T. O.
HUNTER, William.....	Pickens.....	Wolf Creek.
HUTSON, W. F.....	Prince William's.....	Pocotaligo.
INGLIS, John A.....	Chesterfield.....	Cheraw.
INGRAM, J. J.....	Clarendon .....	Manning.
JACKSON, S.....	Chesterfield .....	Mount Crogan.
JEFFERIES, James.....	Union.....	Gowdeysville.
JENKINS, John .....	St. John's, Colleton.....	Edisto Island.
JENKINS, J. E.....	St. Paul's .....	Adams' Run.
JOHNSON, W. D.....	Marlboro' .....	Bennettsville.
✓KEITT, L. M.....	Orange.....	Orangeburg.
KERSHAW, J. B.....	Kershaw .....	Camden.
KILGORE, B. F.....	Spartanburg .....	Laurensville.
✓KINARD, J. P.....	Newberry.....	Newberry C. H.
KINSLER, J. H. ....	Richland.....	Columbia.
LANDRUM, J. G.....	Spartanburg.....	Spartanburg C. H.
LAWTON, B. W.....	Barnwell .....	Allendale.
LEWIS, A. F.....	Pickens .....	Pendleton.
LOGAN, R. C.....	Williamsburg .....	Kingstree.
LYLES, W. S.....	Fairfield .....	Strother.
✓McCRADY, Edward.....	St. Philip and St. Michael...	Charleston.
✓McIVER, Henry.....	Chesterfield .....	Cheraw.
McKEE, John.....	Chester.....	Chester C. H.

NAME.	DISTRICT.	POST-OFFICE.
McLEOD, A.....	Marlboro' .....	Bennettsville.
✓ MAGRATH, A. G.....	St. Philip and St. Michael...	Charleston.
✓ MANIGAULT, G.....	St. Philip and St. Michael...	Charleston.
✓ MANNING, John L.....	Clarendon .....	Fulton.
MAULDIN, B. F.....	Anderson.....	Williamston.
MAXWELL, John .....	Pickens .....	Pendleton.
MAYES, M. P.....	Sumter .....	Mayesville.
✓ MAZYCK, Alexander.....	St. James', Santee .....	Charleston.
✓ MEANS, John H.....	Fairfield.....	Buckhead.
MEMMINGER, C. G.....	St. Philip and St. Michael...	Charleston.
✓ MIDDLETON, John Izard.....	All Saints .....	Georgetown.
MIDDLETON, W.....	St. Philip and St. Michael...	Charleston.
MILES, W. P.....	St. Philip and St. Michael...	Charleston.
MOORE, Thomas W. ....	Chester .....	Smith's T. O.
MOORMAN, R.....	Newberry .....	Maybinton.
✓ NOBLE, Edward .....	Abbeville.....	Abbeville C. H.
NOWELL, J. L.....	St. Thomas and St. Dennis...	Charleston.
O'HEAR, J. S.....	St. Thomas and St. Dennis...	Charleston.
ORR, James L.....	Anderson .....	Anderson C. H.
PALMER, J. S. ....	St. Stephen's .....	Echaw.
PARKER, F. S.....	Winyaw.....	Georgetown.
✓ PERRIN, Thomas C.....	Abbeville .....	Abbeville C. H.
✓ POPE, J. D.....	St. Helena.....	Beaufort.
PORCHER, F. J. ...	St. Philip and St. Michael...	Charleston.
PRESSLEY, J. G.....	Williamsburg.....	Kingstree
QUATTLEBAUM, Paul.....	Lexington .....	Lightwood Creek.
RAINEY, Samuel .....	York .....	Guthriesville.
REED, J. P.....	Anderson .....	Anderson C. H.
RHETT, R. B.....	St. Philip and St. Michael...	Charleston.
RHODES, George .....	St. Peter's .....	Lawtonville.
RICHARDSON, F. D.....	St. Philip and St. Michael...	Charleston.
✓ RICHARDSON, J. P.....	Clarendon.....	Fulton.
ROBINSON, D. P.....	Lancaster .....	Craigville.
ROWELL, W. B.....	Marion .....	Marion C. H.
RUTLEDGE, B. H.....	St. Philip and St. Michael...	Charleston.
SCOTT, E. B.....	St. Paul's .....	Summerville.
✓ SEABROOK, E. M.....	St. Luke's.....	Bluffton.
SEABROOK, G. W., Sr.....	St. John's, Colleton .....	Charleston.
SESSIONS, B. E.....	All Saints .....	Conwayboro'.
SHINGLER, J. M.....	St. James', Goose Creek .....	Holly Hill.

NAME.	DISTRICT.	POST-OFFICE.
SHINGLER, W. P.....	Christ Church.....	Charleston.
SIMONS, T. Y., Jr.....	St. Philip and St. Michael...	Charleston.
✓ SIMPSON, R. F.....	Anderson .....	Pendleton.
SMYLY, J. C.....	Edgefield.....	Lotts.
SMITH, J. J. P.....	St. Philip and St. Michael...	Charleston.
SNOWDEN, P. G.....	St. John's, Berkley.....	Black Oak.
SPAIN, A. C.....	Sumter .....	Sumter C. H.
SPRATT, L. W.....	St. Philip and St. Michael...	Charleston.
✓ SPRINGS, A. B.....	York.....	Fort Mills.
STOKES, P.....	St. Bartholomew's.....	Branchville.
SIMS, J. S. ....	Union .....	Pacelot Mills.
THOMPSON, Robert A....	Pickens .....	Pickens C. H.
THOMSON, Thomas.....	Abbeville .....	Abbeville C. H.
TIMMONS, J. M.....	Darlington .....	Timmons ville.
TOMPKINS, James.....	Edgefield.....	Park's Store.
TOWNSEND, John.....	St. Philip and St. Michael...	Edisto Island.
WAGNER, T. D. ....	St. Philip and St. Michael...	Charleston.
WANNAMAKER, John J...	St. Mathew's .....	St. Mathew's.
✓ WARDLAW, D. L.....	Abbeville .....	Abbeville C. H.
✓ WARDLAW, F. H.....	Edgefield .....	Edgefield C. H.
WATTS, W. D.....	Laurens .....	Laurens C. H.
WIER, Thomas, Sr.....	Laurens .....	Clinton.
✓ WHITNER, J. N.....	Anderson .....	Anderson C. H.
WILLIAMS, J. D.....	Laurens .....	Spring Grove.
WILSON, I. D.....	Darlington.....	Society Hill.
WILSON, J. H.....	Abbeville .....	Abbeville C. H.
WILSON, W. B. ....	York .....	Yorkville.
WITHERS, T. J. ....	Kershaw .....	Camden.
WOODS, Richard.....	Chester.....	Carmel Hill.
YOUNG, Henry C.....	Laurens .....	Laurens C. H.
B. F. ARTHUR, <i>Clerk</i> ....	Union .....	Union C. H.
JAMES CONNER .....	St. Philip and St. Michael...	Charleston.
(Elected in the place of H. W. CONNER, deceased.)		
THOMAS SMITH .....	Darlington.....	Society Hill.
(Elected in the place of J. A. DARGAN, deceased.)		



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# APPENDIX.

THE UNIVERSITY OF CHICAGO  
LIBRARY  
540 EAST 57TH STREET  
CHICAGO, ILL. 60637

THE UNIVERSITY OF CHICAGO  
LIBRARY  
540 EAST 57TH STREET  
CHICAGO, ILL. 60637

AN ACT TO PROVIDE FOR THE CALLING OF  
A CONVENTION OF THE PEOPLE OF THIS  
STATE.

1. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That a Convention of the People of the State of South Carolina is hereby ordered to be assembled in the City of Columbia, on Monday, the seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, for the purpose of taking into consideration the dangers incident to the position of the State in the Federal Union established by the Constitution of the United States, and the measures which may be necessary and proper for providing against the same, and thereupon to take care that the Commonwealth of South Carolina shall suffer no detriment.

2. That on the sixth day of December, in the year of our Lord one thousand eight hundred and sixty, the Managers of Elections for the several Districts in the State shall, after giving public notice as in cases of elections for Members of the Legislature, open the polls and hold elections in their respective Districts for Delegates to the said Convention, in all respects in the same manner and form, and at the same places, as elections are now conducted for members of the Legislature. And all persons who are qualified and entitled by the Constitution and Laws of this State to vote for members of the Legislature, shall be qualified and entitled to vote for said Delegates to said Convention; and in case of any vacancy occurring by death, resignation or removal from the State, or refusal to serve, of any person elected a Delegate to the said Convention, the Presiding Officer of the said Convention shall issue his Writ, authorizing and requiring the Managers of

Elections in the Election District in which such vacancy may have occurred, after giving due notice thereof, to open a poll and hold an election to fill such vacancy, as in cases for the election of Members of the Legislature. That the Managers in the several Election Districts and Parishes shall meet on Friday, the seventh day of December, in the year of our Lord one thousand eight hundred and sixty, count the votes and declare the election.

3. That each Election District throughout the State shall be entitled to elect and send to the said Convention a number of Delegates equal to the whole number of Senators and Representatives which such District is now entitled to send to the Legislature, and the Delegates to the said Convention shall be entitled to the same freedom of arrest in going to, returning from, and whilst in attendance on said Convention, as is extended to the Members of the Legislature.

4. That all free white male citizens of this State of the age of twenty-one years and upwards, and who are entitled to vote for members of the State Legislature, shall be eligible to a seat in the said Convention.

In the Senate House, the thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty, and in the eighty-fifth year of the sovereignty and independence of the United States of America:

WILLIAM D. PORTER,  
*President of the Senate.*

JAMES SIMONS,  
*Speaker House of Representatives.*



DECLARATION OF THE IMMEDIATE CAUSES  
WHICH INDUCE AND JUSTIFY THE SECES-  
SION OF SOUTH CAROLINA FROM THE  
FEDERAL UNION.

The People of the State of South Carolina, in Convention assembled, on the 26th day of April, A. D., 1852, declared that the frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in then withdrawing from the Federal Union; but in deference to the opinions and wishes of the other slaveholding States, she forbore at that time to exercise this right. Since that time, these encroachments have continued to increase, and further forbearance ceases to be a virtue.

And now the State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act.

In the year 1765, that portion of the British Empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American Colonies. A struggle for the right of self-government ensued, which resulted, on the 4th of July, 1776, in a Declaration, by the Colonies, "that they are, and of right ought to be, FREE AND INDEPENDENT STATES; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

They further solemnly declared that whenever any "form of government becomes destructive of the ends for which

it was established, it is the right of the people to alter or abolish it, and to institute a new government." Deeming the Government of Great Britain to have become destructive of these ends, they declared that the Colonies "are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

In pursuance of this Declaration of Independence, each of the thirteen States proceeded to exercise its separate sovereignty; adopted for itself a Constitution, and appointed officers for the administration of government in all its departments—Legislative, Executive and Judicial. For purposes of defence, they united their arms and their counsels; and, in 1778, they entered into a League known as the Articles of Confederation, whereby they agreed to entrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first article, "that each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not, by this Confederation, expressly delegated to the United States in Congress assembled."

Under this Confederation the War of the Revolution was carried on, and on the 3d September, 1783, the contest ended, and a definite Treaty was signed by Great Britain, in which she acknowledged the Independence of the Colonies in the following terms;

*"Article 1.*—His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be FREE, SOVEREIGN AND INDEPENDENT STATES: that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same and every part thereof."

Thus were established the two great principles asserted

by the Colonies, namely: the right of a State to govern itself; and the right of a people to abolish a Government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles, was the fact, that each Colony became and was recognized by the mother Country as a FREE, SOVEREIGN AND INDEPENDENT STATE.

In 1787, Deputies were appointed by the States to revise the Articles of Confederation, and on 17th September, 1787, these Deputies recommended, for the adoption of the States, the Articles of Union, known as the Constitution of the United States.

The parties to whom this Constitution was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed, the compact was to take effect among those concurring; and the General Government, as the common agent, was then to be invested with their authority.

If only nine of the thirteen States had concurred, the other four would have remained as they then were—separate, sovereign States, independent of any of the provisions of the Constitution. In fact, two of the States did not accede to the Constitution until long after it had gone into operation among the other eleven; and during that interval, they each exercised the functions of an independent nation.

By this Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States. But, to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people. On 23d May, 1788, South Carolina, by a Convention of her people, passed an Ordinance assenting to this Constitution, and afterwards altered her own Constitution, to conform herself to the obligations she had undertaken.

Thus was established, by compact between the States, a Government, with defined objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely: the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual; that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other; and that where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure, with all its consequences.

In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused, for years past, to fulfill their constitutional obligations, and we refer to their own Statutes for the proof.

The Constitution of the United States, in its Fourth Article, provides as follows:

“No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.”

This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio river.



The same article of the Constitution stipulates also for rendition by the several States of fugitives from justice from the other States.

The General Government, as the common agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slaveholding States to the Institution of Slavery, has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from the service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her constitutional obligation; but the current of anti-slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder, and with inciting servile insurrection in the State of Virginia. Thus the constituted compact has been deliberately broken and disregarded by the non-slaveholding States, and the consequence follows that South Carolina is released from her obligation.

The ends for which this Constitution was framed are declared by itself to be "to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal



Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights, by giving them the right to represent, and burthening them with direct taxes for three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of Slavery; they have permitted the open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures, to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the Common Government. Observing the *forms* of the Constitution, a sectional party has found within that Article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the Common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that Slavery is in the course of ultimate extinction.

This sectional combination for the submersion of the

Constitution, has been aided in some of the States by elevating to citizenship, persons, who, by the Supreme Law of the land, are incapable of becoming citizens; and their votes have been used to inaugurate a new policy, hostile to the South, and destructive of its peace and safety.

On the 4th March next, this party will take possession of the Government. It has announced, that the South shall be excluded from the common Territory; that the Judicial Tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanctions of a more erroneous religious belief.

We, therefore, the people of South Carolina, by our delegates, in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

THE ADDRESS OF THE PEOPLE OF SOUTH CAROLINA, ASSEMBLED IN CONVENTION, TO THE PEOPLE OF THE SLAVEHOLDING STATES OF THE UNITED STATES.

It is seventy-three years since the Union between the United States was made by the Constitution of the United States. During this time, their advance in wealth, prosperity and power has been with scarcely a parallel in the history of the world. The great object of their Union was defence against external aggression ; which object is now attained, from their mere progress in power. Thirty-one millions of people, with a commerce and navigation which explore every sea, and with agricultural productions which are necessary to every civilized people, command the friendship of the world. But unfortunately, our internal peace has not grown with our external prosperity. Discontent and contention have moved in the bosom of the Confederacy for the last thirty-five years. During this time, South Carolina has twice called her people together in solemn Convention, to take into consideration the aggressions and unconstitutional wrongs perpetrated by the people of the North on the people of the South. These wrongs were submitted to by the people of the South, under the hope and expectation that they would be final. But such hope and expectation, have proved to be vain. Instead of producing forbearance, our acquiescence has only instigated to new forms of aggression and outrage ; and South Carolina, having again assembled her people in Convention, has this day dissolved her connexion with the States constituting the United States.

The one great evil, from which all other evils have flowed, is the overthrow of the Constitution of the United

States. The Government of the United States is no longer the Government of Confederated Republics, but of a consolidated Democracy. It is no longer a free Government, but a despotism. It is, in fact, such a Government as Great Britain attempted to set over our fathers ; and which was resisted and defeated by a seven years' struggle for independence.

The Revolution of 1776, turned upon one great principle, self-government,—and self-taxation, the criterion of self-government. Where the interests of two people united together under one Government, are different, each must have the power to protect its interests by the organization of the Government, or they cannot be free. The interests of Great Britain and of the Colonies, were different and antagonistic. Great Britain was desirous of carrying out the policy of all nations towards their Colonies, of making them tributary to her wealth and power. She had vast and complicated relations with the whole world. Her policy towards her North American Colonies was to identify them with her in all these complicated relations ; and to make them bear, in common with the rest of the Empire, the full burden of her obligations and necessities. She had a vast public debt ; she had an European policy and an Asiatic policy, which had occasioned the accumulation of her public debt ; and which kept her in continual wars. The North American Colonies saw their interests, political and commercial, sacrificed by such a policy. Their interests required that they should not be identified with the burdens and wars of the mother country. They had been settled under Charters, which gave them self-government ; at least so far as their property was concerned. They had taxed themselves, and had never been taxed by the Government of Great Britain. To make them a part of a consolidated Empire, the Parliament of Great Britain determined to assume the power of legislating for the Colonies in all cases whatsoever. Our ancestors resisted the pretention. They refused to be a part of the consolidated Government of Great Britain.



The Southern States now stand exactly in the same position towards the Northern States, that the Colonies did towards Great Britain. The Northern States, having the majority in Congress, claim the same power of omnipotence in legislation as the British Parliament. "The General Welfare," is the only limit to the legislation of either; and the majority in Congress, as in the British Parliament, are the sole judges of the expediency of the legislation this "General Welfare" requires. Thus, the Government of the United States has become a consolidated Government; and the people of the Southern States are compelled to meet the very despotism their fathers threw off in the Revolution of 1776.

The consolidation of the Government of Great Britain over the Colonies, was attempted to be carried out by the taxes. The British Parliament undertook to tax the Colonies, to promote British interests. Our fathers resisted this pretention. They claimed the right of self-taxation *through their Colonial Legislatures*. They were not represented in the British Parliament, and, therefore, could not rightly be taxed by its legislation. The British Government however, offered them a representation in parliament; but it was not sufficient to enable them to protect themselves from the majority, and they refused the offer. Between taxation without any representation, and taxation without a representation adequate to protection, there was no difference. In neither case would the Colonies tax themselves. Hence, they refused to pay the taxes laid by the British Parliament.

And so with the Southern States, towards the Northern States, in the vital matter of taxation. They are in a minority in Congress. Their representation in Congress, is useless to protect them against unjust taxation; and they are taxed by the people of the North *for their benefit*, exactly as the people of Great Britain taxed our ancestors in the British Parliament for their benefit. For the last forty years, the taxes laid by the Congress of the United States, have been laid with a view of subserving the interests of



the North. The people of the South have been taxed by duties on imports, not for revenue, but for an object inconsistent with revenue—to promote, by prohibitions, Northern interests in the productions of their mines and manufactures.

There is another evil, in the condition of the Southern towards the Northern States, which our ancestors refused to bear towards Great Britain. Our ancestors not only taxed themselves, but all the taxes collected from them, were expended amongst them. Had they submitted to the pretensions of the British Government, the taxes collected from them would have been expended in other parts of the British Empire. They were fully aware of the effect of such a policy in impoverishing the people from whom taxes are collected, and in enriching those who receive the benefit of their expenditure. To prevent the evils of such a policy, was one of the motives which drove them on to Revolution. Yet this British policy has been fully realized towards the Southern States, by the Northern States. The people of the Southern States are not only taxed for the benefit of the Northern States, but after the taxes are collected, three-fourths of them are expended at the North. This cause, with others, connected with the operation of the General Government, has made the cities of the South provincial. Their growth is paralyzed; they are mere suburbs of Northern cities. The agricultural productions of the South are the basis of the foreign commerce of the United States; yet Southern cities do not carry it on. Our foreign trade is almost annihilated. In 1740, there were five ship-yards in South Carolina, to build ships to carry on our direct trade with Europe. Between 1740 and 1779, there were built in these yards, twenty-five square-rigged vessels, besides a great number of sloops and schooners, to carry on our coast and West India trade. In the half century immediately preceding the Revolution, from 1725 to 1775, the population of South Carolina increased seven-fold.

No man can, for a moment, believe that our ancestors

intended to establish over their posterity, exactly the same sort of Government they had overthrown. The great object of the Constitution of the United States, in its internal operation, was, doubtless, to secure the great end of the Revolution—a limited free Government—a Government limited to those matters only, which were general and common to all portions of the United States. All sectional or local interests, were to be left to the States. By no other arrangement would they obtain free Government, by a Constitution common to so vast a Confederacy. Yet, by gradual and steady encroachments on the part of the people of the North, and acquiescence on the part of the South, the limitations in the Constitution have been swept away; and the Government of the United States has become consolidated, with a claim of limitless powers in its operations.

It is not at all surprising, such being the character of the Government of the United States, that it should assume to possess power over all the institutions of the country. The agitations on the subject of slavery, are the natural results of the consolidation of the Government. Responsibility follows power; and if the people of the North have the power by Congress "to promote the general welfare of the United States," by any means they deem expedient,—why should they not assail and overthrow the institution of slavery in the South? They are responsible for its continuance or existence, in proportion to their power. A majority in Congress, according to their interested and perverted views, is omnipotent. The inducements to act upon the subject of slavery, under such circumstances, were so imperious, as to amount almost to a moral necessity. To make, however, their numerical power available to rule the Union, the North must consolidate their power. It would not be united, on any matter common to the whole Union—in other words, on any constitutional subject—for on such subjects divisions are as likely to exist in the North as in the South. Slavery was strictly a sectional interest. If this could be made the

criterion of parties at the North, the North could be united in its power; and thus carry out its measures of sectional ambition, encroachment and aggrandizement. To build up their sectional predominance in the Union, the Constitution must be first abolished by constructions; but that being done, the consolidation of the North, to rule the South, by the tariff and slavery issues, was in the obvious course of things.

The Constitution of the United States was an experiment. The experiment consisted, in uniting under one Government, peoples living in different climates, and having different pursuits and institutions. It matters not, how carefully the limitations of such a Government be laid down in the Constitution—its success must, at least, depend upon the good faith of the parties to the constitutional compact, in enforcing them. It is not in the power of human language to exclude false inferences, constructions and perversions, in any Constitution; and when vast sectional interests are to be subserved, involving the appropriation of countless millions of money, it has not been the usual experience of mankind, that words on parchments can arrest power. The Constitution of the United States, irrespective of the interposition of the States, rested on the assumption that power would yield to faith—that integrity would be stronger than interest; and that thus, the limitations of the Constitution would be observed. The experiment has been fairly made. The Southern States, from the commencement of the Government, have striven to keep it within the orbit prescribed by the Constitution. The experiment has failed. The whole Constitution, by the constructions of the Northern people, has been absorbed by its preamble. In their reckless lust for power, they seem unable to comprehend that seeming paradox—that the more power is given to the General Government, the weaker it becomes. Its strength consists in the limitation of its agency to objects of common interests to all sections. To extend the scope of its power over sectional or local interests, is to raise up against it oppo-

sition and resistance. In all such matters, the General Government must necessarily be a despotism, because all sectional or local interests must ever be represented by a minority in the councils of the General Government—having no power to protect itself against the rule of the majority. The majority, constituted from those who do not represent these sectional or local interests, will control and govern them. A free people cannot submit to such a Government. And the more it enlarges the sphere of its power, the greater must be the dissatisfaction it must produce, and the weaker it must become. On the contrary, the more it abstains from usurped powers, and the more faithfully it adheres to the limitations of the Constitution, the stronger it is made. The Northern people have had neither the wisdom nor the faith to perceive, that to observe the limitations of the Constitution was the only way to its perpetuity.

Under such a Government, there must, of course, be many and endless “irrepressible conflicts,” between the two great sections of the Union. The same faithlessness which has abolished the Constitution of the United States, will not fail to carry out the sectional purposes for which it has been abolished. There must be conflict; and the weaker section of the Union can only find peace and liberty in an independence of the North. The repeated efforts made by South Carolina, in a wise conservatism, to arrest the progress of the General Government in its fatal progress to consolidation, have been unsupported, and she has been denounced as faithless to the obligations of the Constitution, by the very men and States, who were destroying it by their usurpations. It is now too late to reform or restore the Government of the United States. All confidence in the North is lost by the South. The faithlessness of the North for a half century, has opened a gulf of separation between the North and the South which no promises nor engagements can fill.

It cannot be believed, that our ancestors would have assented to any union whatever with the people of the



North, if the feelings and opinions now existing amongst them, had existed when the Constitution was framed. There was then no tariff—no fanaticism concerning negroes. It was the delegates from New England who proposed in the Convention which framed the Constitution, to the delegates from South Carolina and Georgia, that if they would agree to give Congress the power of regulating commerce *by a majority*, that they would support the extension of the African Slave Trade for twenty years. African slavery existed in all the States but one. The idea that the Southern States would be made to pay that tribute to their northern confederates which they had refused to pay to Great Britain; or that the institution of African slavery would be made the grand basis of a sectional organization of the North to rule the South, never crossed the imaginations of our ancestors. The Union of the Constitution was a union of slaveholding States. It rests on slavery, by prescribing a representation in Congress for three-fifths of our slaves. There is nothing in the proceedings of the Convention which framed the Constitution, to shew that the Southern States would have formed any other Union; and still less, that they would have formed a Union with more powerful non-slaveholding States, having majority in both branches of the Legislature of the Government. They were guilty of no such folly. Time and the progress of things have totally altered the relations between the Northern and Southern States, since the Union was established. That identity of feelings, interests and institutions which once existed, is gone. They are now divided, between agricultural—and manufacturing, and commercial States; between slaveholding and non-slaveholding States. Their institutions and industrial pursuits have made them totally different peoples. That equality in the Government between the two sections of the Union which once existed, no longer exists. We but imitate the policy of our fathers in dissolving a union with non-slaveholding confederates, and seeking a confederation with slaveholding States.

Experience has proved that slaveholding States cannot



be safe in subjection to non-slaveholding States. Indeed, no people can ever expect to preserve its rights and liberties, unless these be in its own custody. To plunder and oppress, where plunder and oppression can be practiced with impunity, seems to be the natural order of things. The fairest portions of the world elsewhere, have been turned into wildernesses, and the most civilized and prosperous communities have been impoverished and ruined by anti-slavery fanaticism. The people of the North have not left us in doubt as to their designs and policy. United as a section in the late Presidential election, they have elected as the exponent of their policy, one who has openly declared that all the States of the United States must be made *free States* or *slave States*. It is true, that amongst those who aided in his election, there are various shades of anti-slavery hostility. But if African slavery in the Southern States be the evil their political combination affirms it to be, the requisitions of an inexorable logic, must lead them to emancipation. If it is right to preclude or abolish slavery in a Territory, why should it be allowed to remain in the States? The one is not at all more unconstitutional than the other, according to the decisions of the Supreme Court of the United States. And when it is considered that the Northern States will soon have the power to make that Court what they please, and that the Constitution never has been any barrier whatever to their exercise of power, what check can there be, in the unrestrained counsels of the North, to emancipation? There is sympathy in association, which carries men along without principle; but when there is principle, and that principle is fortified by long-existing prejudices and feelings, association is omnipotent in party influences. In spite of all disclaimers and professions, there can be but one end by the submission of the South to the rule of a sectional anti-slavery government at Washington; and that end, directly or indirectly, must be—the emancipation of the slaves of the South. The hypocrisy of thirty years—the faithlessness of their whole course from the commencement of our union with them,

shew that the people of the non-slaveholding North are not, and cannot be safe associates of the slaveholding South, under a common government. Not only their fanaticism, but their erroneous views of the principles of free governments, render it doubtful whether, if separated from the South, they can maintain a free government amongst themselves. Numbers, with them, is the great element of free government. A majority is infallible and omnipotent. "The right divine to rule in kings," is only transferred to their majority. The very object of all Constitutions, in free popular Government, is to restrain the majority. Constitutions, therefore, according to their theory, must be most unrighteous inventions, restricting liberty. None ought to exist; but the body politic ought simply to have a political organization, to bring out and enforce the will of the majority. This theory may be harmless in a small community, having identity of interests and pursuits; but over a vast State—still more, over a vast Confederacy, having various and conflicting interests and pursuits, it is a remorseless despotism. In resisting it, as applicable to ourselves, we are vindicating the great cause of free government, more important, perhaps, to the world, than the existence of all the United States. Nor in resisting it, do we intend to depart from the safe instrumentality, the system of government we have established with them, requires. In separating from them, we invade no rights—no interest of theirs. We violate no obligation or duty to them. As separate, independent States in Convention, we made the Constitution of the United States with them; and as separate independent States, each State acting for itself, we adopted it. South Carolina acting in her sovereign capacity, now thinks proper to secede from the Union. She did not part with her Sovereignty in adopting the Constitution. The last thing a State can be presumed to have surrendered, is her Sovereignty. Her Sovereignty is her life. Nothing but a clear express grant can alienate it. Inference is inadmissible. Yet it is not at all surprising that those who have construed away all the limitations of

the Constitution, should also by construction, claim the annihilation of the Sovereignty of the States. Having abolished all barriers to their omnipotence, by their faithless constructions in the operations of the General Government, it is most natural that they should endeavour to do the same towards us in the States. The truth is, they, having violated the express provisions of the Constitution, it is at an end, as a compact. It is morally obligatory only on those who choose to accept its perverted terms. South Carolina, deeming the compact not only violated in particular features, but virtually abolished by her Northern confederates, withdraws herself as a party from its obligations. The right to do so, is denied by her Northern confederates. They desire to establish a sectional despotism, not only omnipotent in Congress, but omnipotent over the States; and as if to manifest the imperious necessity of our secession, they threaten us with the sword, to coerce submission to their rule.

Citizens of the slaveholding States of the United States! Circumstances beyond our control have placed us in the van of the great controversy between the Northern and Southern States. We would have preferred that other States should have assumed the position we now occupy. Independent ourselves, we disclaim any design or desire to lead the counsels of the other Southern States. Providence has cast our lot together, by extending over us an identity of pursuits, interests and institutions. South Carolina desires no destiny separated from yours. To be one of a great Slaveholding Confederacy, stretching its arms over a territory larger than any power in Europe possesses—with a population four times greater than that of the whole United States when they achieved their independence of the British Empire—with productions which make our existence more important to the world than that of any other people inhabiting it—with common institutions to defend, and common dangers to encounter—we ask your sympathy and confederation. Whilst constituting a portion of the United States, it has been *your* statesman-

ship which has guided it, in its mighty strides to power and expansion. In the field, as in the cabinet, *you* have led the way to its renown and grandeur. You have loved the Union, in whose service your great statesmen have labored, and your great soldiers have fought and conquered—not for the material benefits it conferred, but with the faith of a generous and devoted chivalry. You have long lingered in hope over the shattered remains of a broken Constitution. Compromise after compromise, formed by your concessions, has been trampled under foot by your Northern confederates. All fraternity of feeling between the North and the South is lost, or has been converted into hate; and we, of the South, are at last driven together by the stern destiny which controls the existence of nations. Your bitter experience of the faithlessness and rapacity of your Northern confederates may have been necessary to evolve those great principles of free government, upon which the liberties of the world depend, and to prepare you for the grand mission of vindicating and re-establishing them. We rejoice that other nations should be satisfied with their institutions. Contentment is a great element of happiness, with nations as with individuals. We are satisfied with ours. If they prefer a system of industry, in which capital and labor are in perpetual conflict—and chronic starvation keeps down the natural increase of population—and a man is worked out in eight years—and the law ordains that children shall be worked only *ten hours a day*—and the sabre and the bayonet are the instruments of order—be it so. It is their affair, not ours. We prefer, however, our system of industry, by which labor and capital are identified in interest, and capital, therefore, protects labor—by which our population doubles every twenty years—by which starvation is unknown, and abundance crowns the land—by which order is preserved by an unpaid police, and many fertile regions of the world, where the white man cannot labor, are brought into usefulness by the labor of the African, and the whole world is blessed by our productions. All we demand of other peo-



ples is to be left alone, to work out our own high destinies. United together, and we must be the most independent, as we are among the most important, of the nations of the world. United together, and we require no other instrument to conquer peace, than our beneficent productions. United together, and we must be a great, free and prosperous people, whose renown must spread throughout the civilized world, and pass down, we trust, to the remotest ages. We ask you to join us in forming a Confederacy of Slaveholding States.



## REPORT,

BY MR. DE SAUSSURE,

*Of the Committee on the Address to the People of the Southern States,*

ON THE ADDRESS OF A PORTION OF THE MEMBERS OF THE  
GENERAL ASSEMBLY OF GEORGIA.

The Committee on the Address to the Southern States, to whom was referred the Address of a portion of the members of the General Assembly of Georgia to the people of South Carolina, Alabama, Mississippi and Florida, in Convention assembled, urging that no final separate State action shall be taken upon the question of secession from the Union, until a general Convention of the Southern States can be had, respectfully report, That the Address was not received until just before the Ordinance of Secession was put upon its passage, and the withdrawal of South Carolina from the Union has now been ordained. Nevertheless, the high respect entertained by this Convention for the members of the Legislature of our sister State of Georgia, from whom this Address emanated, impels the Convention briefly to state the causes which induced the passage of the Ordinance.

South Carolina did not desire to take the lead in secession, but her Legislature being in session for the purpose of appointing Presidential Electors, first felt the blow inflicted by the election of an enemy to Southern institutions, elected by Abolition States upon Abolition issues.

She felt that her safety was imperilled; that duty to herself demanded prompt action as the only means of meeting

the impending danger, and she called this Convention to take the proper steps to save the Commonwealth.

The long-continued violations, by the Federal authority, of the constitutional compact between the States produced, years ago, earnest and repeated remonstrances and warnings, not only from South Carolina, but most of the Southern States. These remonstrances were unheeded, until at length this State was driven to take vigorous measures for redress. When it was found she would no longer submit, a compromise was offered and accepted. How long its terms were observed, let the records of the country attest. The threatened storm being averted, the bad faith of our Northern associates speedily displayed itself in renewed efforts to plunder the South.

When a successful war brought us accessions of territory, these were grasped by our unscrupulous allies, and monopolized, to the entire exclusion of Southern men with their property.

They have taken possession of nearly all the Territories, and insolently proclaimed that there should be no more slave States.

They have waged, for a long series of years, an unceasing warfare against the institution of domestic slavery established in the Southern States, with an avowed intention to undermine, circumscribe and utterly overthrow it. And this, notwithstanding that the existence, as well as lawfulness of slavery, were recognized by them in the Articles of Union.

They have taught their people to believe that slavery is a sin and a curse, and that they are responsible, if it is suffered longer to exist.

They have generated in the whole Northern mind a hatred against Southern institutions and Southern men. They proclaimed that an irrepressible conflict existed between the systems of Northern and Southern labor, and that one or the other must go down; and at length defiantly and exultingly declared that the battle was won.

The fruits of this nefarious warfare were at length dis-

played in the armed invasion of one of the States by some of their infatuated dupes, and by conflagrations and poisonings in other States. The orderly and contented slave population of the South at length became agitated and restless. A feverish feeling pervaded the Southern mind, and for the first time a sense of insecurity began to be felt, the necessary result of these diabolical machinations.

And these injuries were inflicted, not by a public enemy, but by citizens of States bound to us by a solemn compact, the avowed object of which was to insure domestic tranquility.

As citizens of the United States, and under cover of their Constitutional privilege, they had access to our homes, and there endeavored to diffuse their deadly poison. This they had been taught to regard as a duty.

The peace, safety, and honor of South Carolina required imperatively that she should no longer continue in alliance with a people thus faithless to their Constitutional obligations.

From men whom no treaty could bind, she held it idle to ask for additional guaranties, and resolved, with unparalleled unanimity, to separate herself from them.

Some of the members of the Georgia Legislature have urged that final State action be deferred until a meeting of the Southern States can be had, to confer together for our common safety; but simultaneously we have received from Alabama, Mississippi, and from Georgia, communications urging immediate and final action as indispensable to the safety of the entire South. These communications are from sources entitled to our utmost respect.

If a conference of the Southern States is had, it can have but two objects: one to patch up a hollow truce with anti-slavery, which denounces our Institution as a crime, and which will hold all the power of the Government in all its departments in all time to come; the other to concert measures for final separation, and for the formation of a Southern Confederacy.

South Carolina has ordained her separation from the

Federal Union. This she has done under a high sense of the responsibilities which attach to her, and her relations to her Southern sister States. Having weighed the consequences, she has resolved to go out of the Union alone, sooner than submit to the open as well as secret warfare carried on against her peace and safety. The other object of a Southern Conference—the formation of a Southern Confederacy, she anxiously desires, and most cordially invites.

The Committee submit the following resolution :

*Resolved*, That a copy of this report be transmitted by the President to the Honorable John Billups, President of a meeting of a portion of the members of the General Assembly of Georgia.

W. F. DE SAUSSURE,  
On behalf of the Committee.

December 22, 1860.

## REPORT AND RESOLUTIONS

*From the Committee on Relations with the Slaveholding States,  
providing for Commissioners to such States.*

The Committee on "Relations with the Slaveholding States of North America," beg leave to report, that they have carefully considered the three several propositions contained in the resolutions referred to them, which were submitted in Convention by three several members from St. Philip's and St. Michael's. All the resolutions referred to the Committee look to the purpose of Confederate relations with our sister States of the South, having common interests with us, and every cause, as we trust, to indulge towards us common sympathies and to contract cordial relations. In such a purpose the Committee entirely and unanimously concur, and they recommend that every proper measure be adopted to accomplish such an end. Upon this subject so much unanimity prevails and has long prevailed in this State, that an argument thereupon would be wholly superfluous. All seem to agree that the first step proper to be taken for the purpose of promoting and securing the Confederation we seek, is the appointment of Commissioners, by the authority of this Convention, to such States of the South as may call Conventions to consider and determine their future political relations.

The Committee advise that such steps be taken by this Convention, hoping and believing that our sister States of the South will correctly interpret our action in taking the initiative as arising, by no means, from any presumptuous arrogance, but from the advance position which circumstances have given to this State in the line of procedure for the great design of maintaining the rights, the security and the very existence of the slaveholding South.

It has been a subject of anxious consideration with the



Committee whether the Commissioners, whose appointment they recommend, should be instructed to tender any basis of a temporary or Provisional Government to the States to which they may be accredited.

The instrument called the Constitution of the United States of America, has been suggested as a suitable and proper basis to be offered for a Provisional Government.

This suggestion has been commended to the Committee by various considerations, which cannot now be set forth in full or at large. Among these are :

That the said instrument was the work of minds of the first order in strength and accomplishment.

That it was most carefully constructed by comprehensive views and careful examination of details.

That experience has proved it to be a good form of government for those sufficiently virtuous, intelligent and patriotic to cause it to be fairly and honestly construed and impartially administered.

That the settled opinion of this State has never been adverse to that plan of government of Confederate States on account of anything in its structure ; but the dissatisfaction is attributable to the false glosses, and dangerous misinterpretation, and perversion of sundry of its provisions, even to the extent, in one particular, of so covering up the real purposes of certain legislation, (meant to protect domestic manufactures in one section,) as to estop the Supreme Court, in its opinion, from judicially perceiving the real design.

That it presents a complete scheme of confederation, capable of being speedily put into operation ; familiar, by long acquaintance, with its provisions, and their true import to the people of the South, many of whom are believed to cherish a degree of veneration for it, and would feel safe under it, when in their own hands, for interpretation and administration, especially as the portions that have been, by perversion, made potent for mischief and oppression in the hands of adverse and inimical interests, have received a settled construction by the South. That a speedy con-

federation by the South is desirable in the highest degree, which it is supposed must be temporary at first, (if accomplished as soon as it should be,) and no better basis than the Constitution of the United States is likely to be suggested or adopted for temporary purposes.

That the opinions of those to whom it is designed to offer it, would be conciliated by the testimony the very act itself would carry, that South Carolina meant to seek no selfish advantage, nor to indulge the least spirit of dictation.

That such form of government is more or less known to Europe, and, if adopted would indicate abroad that the seceding Southern States had the foresight and energy to put into operation forthwith a scheme of government and administration competent to produce a prompt organization for internal necessities, and a sufficient protection of foreign commerce directed hither, as well as to guarantee foreign powers in the confidence that a new Confederacy had immediately arisen, quite adequate to supersede all the evils, internal and external, of a partial or total interregnum.

That its speedy adoption would work happily as a revivifying agency in matters financial and commercial, between the States adopting it, and between them as a united power and foreign commercial nations, and at the same time would combine without delay a power touching purse and sword, that might bring to a prudent issue the reflections of those who may perchance be contemplating an invasion, or to an issue disastrous to them, the attempted execution of such unholy design.

Such are some of the considerations, very rapidly stated, which address themselves to this subject. It is contended that some limitation of the power to levy duties, and that to regulate commerce, (and perhaps other provisions of the said Constitution,) may be desirable, and are in fact so, to some of the Committee, yet these modifications may be safely left to a period when the articles of a permanent government may be settled, and that, meantime, the Constitution referred to will serve the purpose of a temporary

Confederation, which the Committee unite in believing ought to be sought, through all proper measures, most earnestly.

It is also submitted, that if the tender of the said Constitution, even as a Provisional Government, should, in the opinion of the Convention, be accompanied by a condition that it be subject to specific limitations, expositions of ambiguities, or modifications, the Committee would respectfully refer to the Convention itself such matters; and this is done, not because the Committee would not willingly consider and report upon such subject, but because they deem it due to the Convention and the public interest, that they should now lay before the Convention the substantial propositions contained in the following resolutions, which the majority of the Committee recommend to the Convention as fit to be adopted, viz :

*Resolved*, First, That this Convention do appoint a Commissioner to proceed to each of the Slaveholding States that may assemble in Convention, for the purpose of laying our Ordinance of Secession before the same, and respectfully inviting their co-operation in the formation with us of a Southern Confederacy.

Second, That our Commissioners aforesaid, be further authorized to submit, on our part, the Federal Constitution as the basis of a Provisional Government for such States as shall have withdrawn from their connection with the Government of the United States of America; *Provided*, That the said Provisional Government, and the tenures of all officers and appointments arising under it, shall cease and determine in two years from the 1st day of July next, or when a Permanent Government shall have been organized.

Third, That the said Commissioners be authorized to invite the seceding States to meet in Convention, at such time and place as may be agreed upon, for the purpose of forming and putting in motion such Provisional Government, and so that the said Provisional Government shall

be organized and go into effect at the earliest period previous to the 4th day of March, 1861, and that the same Convention of seceding States shall proceed forthwith to consider and propose a Constitution and plan for a permanent Government for such States, which proposed plan shall be referred back to the several State Conventions for their adoption or rejection.

Fourth, That eight Deputies shall be elected by ballot by this Convention, who shall be authorized to meet in Convention such Deputies as may be appointed by the other slaveholding States who may secede from the Federal Union, for the purpose of carrying into effect the foregoing resolutions; and that it be recommended to the said States, that each State be entitled to one vote in the said Convention, upon all questions which may be voted upon therein; and that each State send as many Deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

CORRESPONDENCE BETWEEN THE COMMISSIONERS OF THE STATE OF SOUTH CAROLINA AND THE PRESIDENT OF THE UNITED STATES.

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[LETTER OF THE COMMISSIONERS TO THE PRESIDENT.]

WASHINGTON, 28th DECEMBER, 1860.

*Sir :* We have the honor to transmit to you a copy of the full powers from the Convention of the People of South Carolina, under which we are “authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses and other real estate, with their appurtenances, within the limits of South Carolina, and also for an apportionment of the public debt, and for a division of all other property held by the Government of the United States as agent of the confederated States, of which South Carolina was recently a member; and generally to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relation of the parties, and for the continuance of peace and amity between this commonwealth and the Government at Washington.”

In the execution of this trust, it is our duty to furnish you, as we now do, with an official copy of the Ordinance of Secession, by which the State of South Carolina has resumed the powers she delegated to the Government of the United States and has declared her perfect sovereignty and independence.

It would also have been our duty to have informed you that we were ready to negotiate with you upon all such questions as are necessarily raised by the adoption of this



ordinance, and that we were prepared to enter upon this negotiation with the earnest desire to avoid all unnecessary and hostile collision, and so to inaugurate our new relations as to secure mutual respect, general advantage and a future of good will and harmony beneficial to all the parties concerned.

But the events of the last twenty-four hours render such an assurance impossible. We came here the representatives of an authority which could, at any time within the past sixty days, have taken possession of the forts in Charleston harbor, but which, upon pledges given in a manner that, we cannot doubt, determined to trust to your honor rather than to its own power. Since our arrival here an officer of the United States, acting, as we are assured, not only without but against your orders, has dismantled one fort and occupied another, thus altering, to a most important extent, the condition of affairs under which we came.

Until these circumstances are explained in a manner which relieves us of all doubt as to the spirit in which these negotiations shall be conducted, we are forced to suspend all discussion as to any arrangements by which our mutual interests might be amicably adjusted.

And, in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances, they are a standing menace which renders negotiation impossible, and, as our recent experience shews, threatens speedily to bring to a bloody issue questions which ought to be settled with temperance and judgment.

We have the honor, Sir, to be,

Very respectfully,

Your obedient servants,

R. W. BARNWELL,

J. H. ADAMS,

JAMES L. ORR,

*Commissioners.*

*To the PRESIDENT*

*of the United States.*

[REPLY OF THE PRESIDENT TO THE COMMISSIONERS.]

WASHINGTON CITY, 30th DECEMBER, 1860.

*Gentlemen:* I have the honor to receive your communication of 28th instant, together with a copy of your "full powers from the Convention of the People of South Carolina," authorizing you to treat with the Government of the United States on various important subjects therein mentioned, and also a copy of the Ordinance bearing date on the 20th instant, declaring that "the Union now subsisting between South Carolina and other States under the name of 'the United States of America,' is hereby dissolved."

In answer to this communication, I have to say, that my position as President of the United States was clearly defined in the message to Congress of the 3d instant. In that I stated that, "apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* government—involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question, in all its bearings."

Such is my opinion still. I could, therefore, meet you only as private gentlemen of the highest character, and was entirely willing to communicate to Congress any prop-

osition you might have to make to that body upon the subject. Of this you were well aware. It was my earnest desire, that such a disposition might be made of the whole subject by Congress, who alone possess the power, as to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal Forts in the harbor of Charleston; and I therefore deeply regret, that, in your opinion, "the events of the last twenty-four hours render this impossible." In conclusion, you urge upon me "the immediate withdrawal of the troops from the harbor of Charleston," stating that, "under present circumstances, they are a standing menace which renders negotiation impossible, and, as our recent experience shows, threatens speedily to bring to a bloody issue, questions which ought to be settled with temperance and judgment."

The reason for this change in your position is, that since your arrival in Washington, "an officer of the United States, acting as we (you) are assured, not only without, but against your (my) orders, has dismantled one fort and occupied another, thus altering, to a most important extent, the condition of affairs under which we (you) came." You also allege that you came here "the representatives of an authority which could, at any time, within the past sixty days have taken possession of the forts in Charleston harbor, but which, upon pledges given in a manner that we (you) cannot doubt, determined to trust to your (my) honor rather than to its own power."

This brings me to a consideration of the nature of those alleged pledges, and in what manner they have been observed. In my message of the third of December last, I stated, in regard to the property of the United States in South Carolina, that it "has been purchased for a fair equivalent 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' &c., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in

this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency, the responsibility for consequences would rightfully rest upon the heads of the assailants." This being the condition of the parties, on Saturday, 8th December, four of the representatives from South Carolina called on me and requested an interview. We had an earnest conversation on the subject of these forts, and the best means of preventing a collision between the parties for the purpose of sparing the effusion of blood. I suggested, for prudential reasons, that it would be best to put in writing what they said to me verbally. They did so accordingly, and on Monday morning, the 10th instant, three of them presented to me a paper signed by all the representatives from South Carolina, with a single exception, of which the following is a copy :

*To his Excellency, JAMES BUCHANAN,*  
*President of the United States :*

In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities, nor any body of the people of the State of South Carolina, will either attack or molest the United States Forts, in the harbor of Charleston, previously to the action of the Convention, and we hope and believe, not until an offer has been made, through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military *status* shall remain as at present.

JNO. McQUEEN,  
WM. PORCHER MILES,  
M. L. BONHAM,  
W. W. BOYCE,  
LAWRENCE M. KEITT.

WASHINGTON, 9th Dec., 1860.



And here I must, in justice to myself, remark, that at the time the paper was presented to me, I objected to the word "provided," as it might be construed into an agreement, on my part, which I never would make. They said that nothing was farther from their intention—they did not so understand it, and I should not so consider it. It is evident they could enter into no reciprocal agreement with me on the subject. They did not profess to have authority to do this, and were acting in their individual character. I considered it as nothing more, in effect, than the promise of highly honorable gentlemen to exert their influence for the purpose expressed. The event has proven that they have faithfully kept this promise, although I have never since received a line from any one of them, or from any member of the Convention, on the subject. It is well known that it was my determination, and this I freely expressed, not to reinforce the forts in the harbor, and thus produce a collision, until they had been actually attacked, or until I had certain evidence that they were about to be attacked. This paper I received most cordially, and considered it as a happy omen that peace might still be preserved, and that time might thus be gained for reflection. This is the whole foundation for the alleged pledge.

But I acted in the same manner I would have done had I entered into a positive and formal agreement with parties capable of contracting, although such an agreement would have been, on my part, from the nature of my official duties, impossible.

The world knows that I have never sent any reinforcements to the forts in Charleston harbor, and I have certainly never authorized any change to be made "in their relative military status."

Bearing upon this subject, I refer you to an order issued by the Secretary of War, on the 11th inst., to Major Anderson, but not brought to my notice until the 21st instant. It is as follows :



*“Memorandum of verbal instructions to Major ANDERSON, 1st Artillery, Commanding Fort Moultrie, S. C.*

You are aware of the great anxiety of the Secretary of War that a collision of the troops with the people of this State shall be avoided, and of his studied determination to pursue a course with reference to the military force and forts in this harbor, which shall guard against such a collision. He has, therefore, carefully abstained from increasing the force at this point, or taking any measures which might add to the present excited state of the public mind, or which would throw any doubt on the confidence he feels that South Carolina will not attempt by violence to obtain possession of the public works, or interfere with their occupancy. But as the counsel and acts of rash and impulsive persons may possibly disappoint these expectations of the Government, he deems it proper that you should be prepared with instructions to meet so unhappy a contingency. He has, therefore, directed me, verbally, to give you such instructions.

You are carefully to avoid every act which would needlessly tend to provoke aggression; and, for that reason, you are not, without evident and imminent necessity, to take up any position which could be construed into the assumption of a hostile attitude; but you are to hold possession of the forts in this harbor, and, if attacked, you are to defend yourself to the last extremity. The smallness of your force will not permit you, perhaps, to occupy more than one of the three forts; but an attack on, or attempt to take possession of either of them, will be regarded as an act of hostility, and you may then put your command into either of them which you may deem most proper, to increase its power of resistance. You are also authorized to take similar defensive steps whenever you have tangible evidence of a design to proceed to a hostile act.

D. P. BUTLER, *Assistant Adjutant-General.*  
FORT MOULTRIE, S. C., Dec. 11, 1860.

This is in conformity to my instructions to Major Buell.

JOHN B. FLOYD, *Secretary of War.*

These were the last instructions transmitted to Major Anderson before his removal to Fort Sumter, with a single exception in regard to a particular which does not, in any degree, affect the present question. Under these circumstances, it is clear that Major Anderson acted upon his own responsibility, and without authority, unless, indeed, he had "tangible evidence of a design to proceed to a hostile act," on the part of the authorities of South Carolina, which has not yet been alleged. Still, he is a brave and honorable officer; and justice requires that he should not be condemned without a fair hearing.

Be this as it may, when I learned that Major Anderson had left Fort Moultrie, and proceeded to Fort Sumter, my first promptings were to command him to return to his former position, and there to await the contingencies presented in his instructions. This could only have been done, with any degree of safety to the command, by the concurrence of the South Carolina authorities. But, before any steps could possibly have been taken in this direction, we received information, dated on the 28th instant, that "the Palmetto flag floated out to the breeze at Castle Pinckney, and a large military force went over last night (the 27th) to Fort Moultrie." Thus the authorities of South Carolina, without waiting or asking for any explanation, and doubtless believing, as you have expressed it, that the officer had acted not only without, but against my orders, on the very next day after the night when the removal was made, seized, by a military force, two of the three federal forts in the harbor of Charleston, and have covered them under their own flag, instead of that of the United States. At this gloomy period of our history, startling events succeed each other rapidly. On the very day (the 27th instant) that possession of these two forts was taken, the Palmetto flag was raised over the Federal Custom House and Post-office in Charleston; and, on the same day, every officer of the Customs—Collector, Naval Officers, Surveyor and Appraisers—resigned their offices. And this, although it was well known, from the language of my message, that, as an execu-

tive officer, I felt myself bound to collect the revenue at the port of Charleston under existing laws. In the harbor of Charleston, we now find three forts confronting each other, over all of which the federal flag floated only four days ago: but now, over two of them, this flag has been supplanted, and the Palmetto flag has been substituted in its stead. It is, under all these circumstances, that I am urged immediately to withdraw the troops from the harbor of Charleston, and am informed that without this, negotiation is impossible. This I cannot do: this I will not do. Such an idea was never thought of by me in any possible contingency. No allusion to it had ever been made in any communication between myself and any human being. But the inference is, that I am bound to withdraw the troops from the only fort remaining in the possession of the United States in the harbor of Charleston, because the officer then in command of all the forts thought proper, without instructions, to change his position from one of them to another. I cannot admit the justice of any such inference.

At this point of writing, I have received information, by telegram, from Captain Humphreys, in command of the Arsenal at Charleston, "that it has to-day (Sunday, the 30th) been taken by force of arms." It is estimated that the munitions of war belonging to the United States in this Arsenal are worth half a million of dollars.

Comment is needless. After this information, I have only to add, that, whilst it is my duty to defend Fort Sumter, as a portion of the public property of the United States against hostile attacks from whatever quarter they may come, by such means as I may possess for this purpose, I do not perceive how such a defence can be construed into a menace against the City of Charleston.

With great personal regard, I remain

Yours, very respectfully,

JAMES BUCHANAN.

*To Honorable*

ROBERT W. BARNWELL,

JAMES H. ADAMS,

JAMES L. ORR.

## [REPLY OF COMMISSIONERS TO THE PRESIDENT.]

WASHINGTON, D. C., January 1st, 1861.

*Sir:* We have the honor to acknowledge the receipt of your letter of the 30th December, in reply to a note addressed by us to you on the 28th of the same month, as Commissioners from South Carolina.

In reference to the declaration with which your reply commences, that "your position as President of the United States was clearly defined in the Message to Congress of the 3d instant," that you possess "no power to change the relations heretofore existing" between South Carolina and the United States, "much less to acknowledge the independence of that State;" and that, consequently, you could meet us only as private gentlemen of the highest character, with an entire willingness to communicate to Congress any proposition we might have to make, we deem it only necessary to say, that the State of South Carolina having, in the exercise of that great right of self-government which underlies all our political organizations, declared herself sovereign and independent, we, as her representatives, felt no special solicitude as to the character in which you might recognize us. Satisfied that the State had simply exercised her unquestionable right, we were prepared, in order to reach substantial good, to waive the formal considerations which your constitutional scruples might have prevented you from extending. We came here, therefore, expecting to be received as you did receive us, and perfectly content with that entire willingness of which you assured us, to submit any proposition to Congress which we might have to make upon the subject of the independence of the State. That willingness was ample recognition of the condition of public affairs which rendered our presence necessary. In this position, however, it is our duty, both to the State which we represent and to ourselves, to correct several important misconceptions of our letter into which you have fallen.



You say, "It was my earnest desire that such a disposition might be made of the whole subject by Congress, who alone possesses the power to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston; and I, therefore, deeply regret that, in your opinion, 'the events of the last twenty-four hours render this impossible.'" We expressed no such opinion, and the language which you quote as ours, is altered in its sense by the omission of a most important part of the sentence. What we did say was: "But the events of the last twenty-four hours render *such an assurance* impossible." Place that "assurance" as contained in our letter, in the sentence, and we are prepared to repeat it.

Again, professing to quote our language, you say:—"Thus the authorities of South Carolina, without waiting or asking for any explanation, and, doubtless, believing, as you have expressed it, that the officer had acted not only without, but against my orders," &c. We expressed no such opinion in reference to the belief of the people of South Carolina. The language which you have quoted, was applied solely and entirely to *our* assurance, obtained here, and based, as you well know, upon your own declaration—a declaration which, at that time, it was impossible for the authorities of South Carolina to have known. But, without following this letter into all its details, we propose only to meet the chief points of the argument.

Some weeks ago, the State of South Carolina declared her intention, in the existing condition of public affairs, to secede from the United States. She called a Convention of her people, to put her declaration in force. The Convention met, and passed the Ordinance of Secession. All this you anticipated, and your course of action was thoroughly considered. In your annual message, you declared you had no right, and would not attempt, to coerce a seceding State, but that you were bound by your constitutional oath, and would defend the property of the United States within the borders of South Carolina, if an attempt was



made to take it by force. Seeing very early that this question of property was a difficult and delicate one, you manifested a desire to settle it without collision. You did not reinforce the garrisons in the harbor of Charleston. You removed a distinguished and veteran officer from the command of Fort Moultrie, because he attempted to increase his supply of ammunition. You refused to send additional troops to the same garrison when applied for by the officer appointed to succeed him. You accepted the resignation of the oldest and most efficient member of your Cabinet, rather than allow these garrisons to be strengthened. You compelled an officer stationed at Fort Sumter, to return immediately to the Arsenal, forty muskets which he had taken to arm his men. You expressed not to one, but to many, of the most distinguished of our public characters, whose testimony will be placed upon the record, whenever it is necessary, your anxiety for a peaceful termination of this controversy, and your willingness not to disturb the military status of the forts, if Commissioners should be sent to the Government, whose communications you promised to submit to Congress. You received and acted on assurances from the highest official authorities of South Carolina, that no attempt would be made to disturb your possession of the forts and property of the United States, if you would not disturb their existing condition until Commissioners had been sent, and the attempt to negotiate had failed. You took from the members of the House of Representatives, a written memorandum that no such attempt should be made, "provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present." And, although you attach no force to the acceptance of such a paper, although you "considered it as nothing more in effect than the promise of highly honorable gentlemen," as an obligation on one side without corresponding obligation on the other, it must be remembered (if we are rightly informed) that you were pledged, if you ever did send reinforcements, to return it to those from whom you had received it before

you executed your resolution. You sent orders to your officers, commanding them strictly to follow a line of conduct in conformity with such an understanding.

Beside all this, you had received formal and official notice from the Governor of South Carolina, that we had been appointed Commissioners, and were on our way to Washington. You knew the implied condition under which we came; our arrival was notified to you, and an hour appointed for an interview. We arrived in Washington on Wednesday, at three o'clock, and you appointed an interview with us at one the next day. Early on that day, Thursday, the news was received here of the movement of Major Anderson. That news was communicated to you immediately, and you postponed our meeting until half-past two o'clock, on Friday, in order that you might consult your Cabinet. On Friday we saw you, and we called upon you then to redeem your pledge. You could not deny it. With the facts we have stated, and in the face of the crowning and conclusive fact, that your Secretary of War had resigned his seat in the Cabinet, upon the publicly avowed ground that the action of Major Anderson had violated the pledged faith of the Government, and that unless the pledge was instantly redeemed, he was dishonored; denial was impossible; you did not deny it. You do not deny it now, but you seek to escape from its obligation on two grounds: 1st, That *we* terminated all negotiation by demanding, as a preliminary, the withdrawal of the United States troops from the harbor of Charleston; and 2d, That the authorities of South Carolina, instead of asking explanation, and giving you the opportunity to vindicate yourself, took possession of other property of the United States. We will examine both.

In the first place, we deny positively, that we have ever, in any way, made any such demand. Our letter is in your possession; it will stand by this on the record. In it, we inform you of the objects of our mission. We say that it would have been our duty to have assured you of our readiness to commence negotiations with the most earnest and

anxious desire to settle all questions between us amicably, and to our mutual advantage, but that events had rendered that assurance impossible. We stated the events, and we said that, until some satisfactory explanation of these events was given us, we could not proceed, and then, having made this request for explanation, we added, "and, in conclusion, we would urge upon you the immediate withdrawal of the troops from the harbor of Charleston. Under present circumstances they are a standing menace, which renders negotiation impossible," &c. "Under present circumstances!" What circumstances? Why, clearly, the occupation of Fort Sumter, and the dismantling of Fort Moultrie by Major Anderson, in the face of your pledges, and without explanation or practical disavowal. And there is nothing in the letter, which would or could have prevented you from declining to withdraw the troops, and offering the restoration of the status to which you were pledged, if such had been your desire. It would have been wiser and better, in our opinion, to have withdrawn the troops, and this opinion we urged upon you, but we *demand*ed nothing but such an explanation of the events of the last twenty-four hours as would restore our confidence in the spirit with which the negotiation should be conducted. In relation to this withdrawal of the troops from the harbor, we are compelled, however, to notice one passage of your letter. Referring to it, you say: "This I cannot do. This I will not do. Such an idea was never thought of by me in any possible contingency. No allusion to it had ever been made in any communication between myself and any human being."

In reply to this statement we are compelled to say, that your conversation with us left upon our minds the distinct impression that you did seriously contemplate the withdrawal of the troops from Charleston harbor. And, in support of this impression, we would add that we have the positive assurance of gentlemen of the highest possible public reputation, and the most unsullied integrity—men whose name and fame, secured by long service and patriotic

achievement, place their testimony beyond cavil—that such suggestions had been made to, and urged upon you by them, and had formed the subject of more than one earnest discussion with you. And it was this knowledge that induced us to urge upon you a policy which had to recommend it its own wisdom and the weight of such authority. As to the second point, that the authorities of South Carolina, instead of asking explanations, and giving you the opportunity to vindicate yourself, took possession of other property of the United States, we would observe, 1st. That, even if this were so, it does not avail you for defence, for the opportunity for decision was afforded you before these facts occurred. We arrived in Washington on Wednesday. The news from Major Anderson reached here early on Thursday, and was immediately communicated to you. All that day, men of the highest consideration—men who had striven successfully to lift you to your great office—who had been your tried and true friends through the troubles of your administration—sought you, and entreated you to act—to act at once. They told you that every hour complicated your position. They only asked you to give the assurance that, if the facts were so—that, if the Commander had acted without, and against your orders, and in violation of your pledges, that you would restore the *status* you had pledged your honor to maintain.

You refused to decide. Your Secretary of War—your immediate and proper adviser in this whole matter—waited anxiously for your decision, until he felt that delay was becoming dishonor. More than twelve hours passed, and two Cabinet meetings had adjourned before you knew what the authorities of South Carolina had done, and your prompt decision at any moment of that time, would have avoided the subsequent complications. But if you had known the acts of the authorities of South Carolina, should that have prevented your keeping your faith? What was the condition of things? For the last sixty days, you have had in Charleston harbor, not force enough to hold the forts against an equal enemy. Two of them were empty;



one of those two, the most important in the harbor. It could have been taken at any time. You ought to know better than any man, that it would have been taken, but for the efforts of those who put their trust in your honor. Believing that they were threatened by Fort Sumter especially, the people were, with difficulty, restrained from securing, without blood, the possession of this important fortress. After many and reiterated assurances given on your behalf, which we cannot believe unauthorized, they determined to forbear, and in good faith sent on their Commissioners to negotiate with you. They meant you no harm; wished you no ill. They thought of you kindly, believed you true, and were willing, as far as was consistent with duty, to spare you unnecessary and hostile collision. Scarcely had their Commissioners left, than Major Anderson waged war. No other words will describe his action. It was not a peaceful change from one fort to another; it was a hostile act in the highest sense—one only justified in the presence of a superior enemy, and in imminent peril. He abandoned his position, spiked his guns, burned his gun-carriages, made preparations for the destruction of his post, and withdrew, under cover of the night, to a safer position. This was war. No man could have believed (without your assurance) that any officer could have taken such a step, "not only without orders, but against orders." What the State did, was in simple self-defence; for this act, with all its attending circumstances, was as much war as firing a volley; and war being thus begun, until those commencing it explained their action, and disavowed their intention, there was no room for delay; and, even at this moment, while we are writing, it is more than probable, from the tenor of your letter, that reinforcements are hurrying on to the conflict, so that when the first gun shall be fired, there will have been, on your part, one continuous consistent series of actions commencing in a demonstration essentially warlike, supported by regular reinforcement, and terminating in defeat or victory. And all this without the slightest provocation; for, among the many things which you



have said, there is one thing you cannot say—you have waited anxiously for news from the seat of war, in hopes that delay would furnish some excuse for this precipitation. But this “tangible evidence of a design to proceed to a hostile act, on the part of the authorities of South Carolina,” (which is the only justification of Major Anderson,) you are forced to admit “has not *yet* been alleged.” But you have decided. You have resolved to hold by force what you have obtained through our misplaced confidence, and by refusing to disavow the action of Major Anderson, have converted his violation of orders into a legitimate act of your Executive authority. Be the issue what it may, of this we are assured, that if Fort Moultrie has been recorded in history as a memorial of Carolina gallantry, Fort Sumter will live upon the succeeding page as an imperishable testimony of Carolina faith.

By your course, you have probably rendered civil war inevitable. Be it so. If you choose to force this issue upon us, the State of South Carolina will accept it, and relying upon Him who is the God of justice as well as the God of hosts, will endeavor to perform the great duty which lies before her, hopefully, bravely and thoroughly.

Our mission being one for negotiation and peace, and your note leaving us without hope of a withdrawal of the troops from Fort Sumter, or of the restoration of the *status quo* existing at the time of our arrival, and intimating, as we think, your determination to reinforce the garrison in the Harbor of Charleston, we respectfully inform you that we propose returning to Charleston on to-morrow afternoon.

We have the honor to be sir, very respectfully,

Your obedient servants,

R. W. BARNWELL,

J. H. ADAMS,

JAMES L. ORR,

*Commissioners.*

*To his Excellency the* PRESIDENT

*of the United States.*

The last communication is endorsed as follows:

EXECUTIVE MANSION,

3 $\frac{1}{2}$  o'clock, Wednesday.

This paper, just presented to the President, is of such a character that he declines to receive it.

## STATEMENT

OF MESSRS. MILES AND KEITT, OF WHAT TRANSPIRED  
BETWEEN THE PRESIDENT AND THE SOUTH  
CAROLINA DELEGATION.

In compliance with the request of the Convention, we beg leave to make the following statement :

On Saturday, the 8th of December, several of the South Carolina delegation, including ourselves, waited upon the President. At this time, there was a growing belief that reinforcements were on the eve of being sent to the forts in Charleston harbor. It was known that the subject was frequently and earnestly discussed in the Cabinet. It was rumored that General Cass and Mr. Holt were urgent that reinforcements should be sent. Upon our being announced, the President, who was then in Cabinet Council, came out to us in the ante-room. We at once entered into a conversation upon the topic which was so closely occupying his thoughts as well as ours. The President seemed much disturbed and moved. He told us that he had had a painful interview with the wife of Major Anderson, who had come on from New York to see him. She had manifested great anxiety and distress at the situation of her husband, whom she seemed to consider in momentary danger of an attack from an excited and lawless mob. The President professed to feel a deep responsibility resting upon him to protect the lives of Major Anderson and his command. We told him that the news that reinforcements were on their way to Charleston, would be the surest means of provoking what Mrs. Anderson apprehended, and what he so much deprecated. We said, further, that we did not believe that Major Anderson was in any danger of such an attack; that the general sentiment of the State was against any such proceeding. That, prior to the action of the State Convention, then only ten days off, we felt satisfied that

there would be no attempt to molest the forts in any way. That, after the Convention met—while we could not possibly undertake to say what that body would see fit to do—we yet hoped and believed that nothing would be done until we had first endeavored, by duly accredited Commissioners, to negotiate for a peaceful settlement of all matters, including the delivery of the forts, between South Carolina and the Federal Government. At the same time, we again reiterated our solemn belief that any change in the then existing condition of things in Charleston harbor, would, in the excited state of feeling at home, inevitably precipitate a collision. The impression made upon us was, that the President was wavering, and had not decided what course he would pursue. He said he was glad to have had this conversation with us, but would prefer that we should give him a written memorandum of the substance of what we had said. This we did on Monday, the 10th. It was in these words:

*To his Excellency* JAMES BUCHANAN,  
*President of the United States:*

In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities, nor any body of the people of the State of South Carolina, will either attack or molest the United States forts in the harbor of Charleston, previously to the action of the Convention, and we hope and believe not until an offer has been made, through an accredited representative, to negotiate for an amicable arrangement of all matters between the State and the Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present.

JOHN McQUEEN,  
WM. PORCHER MILES,  
M. L. BONHAM,  
W. W. BOYCE,  
LAWRENCE M. KEITT.

WASHINGTON, 9th December, 1860.

The President did not like the word "provided," because it looked as if we were binding him while avowing that we had no authority to commit the Convention. We told him that we did not so understand it. We were expressing our convictions and belief, predicated upon the maintenance of a certain condition of things, which maintenance was absolutely and entirely *in his power*. If he maintained such condition, then we believed that collision would be avoided until the attempt at a peaceable negotiation had failed. If he did not, then we solemnly assured him that we believed collision must inevitably, and at once, be precipitated. He seemed satisfied, and said it was not his intention to send reinforcements, or make any change. We explained to him what we meant by the words "relative military status," as applied to the forts; mentioned the difference between Major Anderson's occupying his then position at Fort Moultrie, and throwing himself into Fort Sumter. We stated that the latter step would be equivalent to reinforcing the garrison, and would just as certainly as the sending of fresh troops, lead to the result which we both desired to avoid. When we rose to go, the President said in substance, "After all, this is a matter of honor among gentlemen. I do not know that any paper or writing is necessary. We understand each other." One of the delegation, just before leaving the room, remarked: "Mr. President, you have determined to let things remain as they are, and not to send reinforcements; but, suppose that you were hereafter to change your policy for any reason, what then? That would put us, who are willing to use our personal influence to prevent any attack upon the forts before Commissioners are sent on to Washington, in rather an embarrassing position." "Then," said the President, "I would first return you this paper." We do not pretend to give the exact words on either side, but we are sure we give the sense of both.

The above is a full and exact account of what passed between the President and the delegation. The President, in his letter to our Commissioners, tries to give the impres-



sion that our "understanding" or "agreement" was not a "pledge." We confess we are not sufficiently versed in the wiles of diplomacy to feel the force of this "distinction without a difference." Nor can we understand how, in "a matter of honor among gentlemen," in which "no paper or writing is necessary," the very party who was willing to put it on that high footing can honorably descend to mere verbal criticism, to purge himself of what all gentlemen and men of honor must consider a breach of faith. The very fact that we (the representatives from South Carolina) were not authorized to commit or "pledge" the State, were not treating with the President as accredited ministers, with full powers, but as gentlemen, assuming, to a certain extent, the delicate task of undertaking to foreshadow the course and policy of the State, should have made the President the more ready to strengthen our hands to bring about and carry out that course and policy which he professed to have as much at heart as we had. While we were not authorized to say that the Convention would not order the occupation of the forts immediately after secession, and prior to the sending on of Commissioners, the President, as Commander-in-chief of the Army and Navy of the United States, could most positively say, that so long as South Carolina abstained from attacking and seizing the forts, he would not send reinforcements to them, or allow their relative military status to be changed. We were acting in the capacity of gentlemen holding certain prominent positions, and anxious to exert such influence as we might possess to effect a peaceful solution of pending political difficulties, and prevent, if possible, the horrors of war. The President was acting in a double capacity; not only as a gentleman, whose influence in carrying out his share of the understanding, or agreement, was potential, but as the head of the army, and, therefore, having the absolute control of the whole matter of reinforcing or transferring the garrison at Charleston. But we have dwelt long enough upon this point. Suffice it to say, that considering the President as bound in honor, if not by treaty stipula-

tions, not to make any change in the forts, or to send reinforcements to them, unless they were attacked, we of the delegation who were elected to the Convention, felt equally bound in honor to do every thing on our part to prevent any premature collision. This Convention can bear us witness as to whether or not we endeavored honorably to carry out our share of the agreement.

The published debates at the very commencement of the session, contain the evidence of our good faith. We trusted the President. We believed his wishes concurred with his policy, and that both were directed to avoiding any inauguration of hostilities. We were confirmed in our confidence, and reassured in our belief by a significant event which took place subsequent to our interview. He allowed his premier Cabinet officer, an old and tried friend, to resign, rather than yield to his solicitations for the reinforcement of the garrison at Charleston. We urged this as a convincing proof of his firmness and sincerity. But how have we been deceived! The news of Major Anderson's *coup* produced a sudden and unexpected change in the President's policy. While declaring that his withdrawal from Fort Moultrie to Fort Sumter was "without orders, and contrary to orders," he yet refused, for twelve hours, to take any action in the matter. For twelve hours, therefore, without any excuse, he refused to redeem his plighted word. No subsequent acts on the part of our State—no after reasons—can wipe away the stain which he suffered to rest upon his "honor as a gentleman," while those hours, big with portentous events, rolled slowly by. His Secretary of War, impatient of a delay, every moment of which he felt touched his own honor, resigned. He did so solely on the ground that the faith of the government—solemnly pledged—was broken, if it failed promptly to undo what had been done contrary to its wishes—against its settled policy—and in violation of its distinct agreement. The President accepted his resignation without comment. He did not attempt to disabuse the mind of his Secretary as to what was the true position of the Government. What a

spectacle does the President's vacillating and disingenuous course present! He allows one Secretary to resign rather than abandon a policy which he has agreed upon. Scarcely have a few short weeks elapsed, and he accepts the resignation of another, rather than adhere to that very policy. He makes an agreement with gentlemen which, while he admits that they have faithfully kept it on their part, he himself evades and repudiates. And this he does rather than redress a wrong—correct an error—what he himself considers an error—committed by a subordinate, without his orders, and contrary to his wishes! It was at least due to Mr. Floyd, who, as one of his Cabinet, had officially and personally stood by his administration from its very commencement—through good report, and through evil report—to have explained to him that he was, in the President's opinion, laboring under a misapprehension. At least, to have said to him, "you are mistaken about this matter—do not leave me on a false issue." But no; he coldly, ungraciously, yet promptly receives the resignation without a syllable of remonstrance, and thus tacitly, but unequivocally, accepts without shame the issue presented. He does not deny that the faith of his government is pledged, but he deliberately refuses to redeem it.

WM. PORCHER MILES.  
LAURENCE M. KEITT.

## REPORT OF THE COMMITTEE ON THE MILITARY; WITH THE ACCOMPANYING RESOLUTIONS.

The Special Committee on the Military, to whom was referred so much of the communication of his Excellency, Gov. Pickens, and accompanying documents as relates to the transfer of enlisted troops, arms, ordnance and munitions of war, to the Government of the Confederate States, to the Coast defences and Volunteers in the service of this State, and the resolution of Mr. Orr as to the troops raised for the defence of this State, &c., beg leave to

### REPORT :

That they have had the matters referred under consideration, and the matters which specially engaged their attention were, *first*, the number and amount of arms, ordnance and munitions of war which it was proper to transfer, and the mode of settlement therefor. They have deemed it expedient to turn over to the Confederate Government all such as have been purchased since the 20th of December last and are now in our possession, and such other arms, ordnance and munitions (including those taken in the forts and arsenals in this State lately in the possession of the United States Government), as the Governor and Board of Ordnance may deem it advisable to transfer with a due regard to the safety and defence of this State.

*Secondly*.—The transfer of the regular enlisted troops now in the service of the State to the Government of the Confederate States. This your Committee are of opinion should be done without delay; but, in doing so, the Governor should insist upon the preservation of their present organization and the maintenance of the rank of the officers, if practical so to do under the provisions of the Act

of the Congress of the Confederate States, entitled an "Act to raise Provisional Forces for the Confederate States of America, and for other purposes."

This we have the assurance, in the communication of his Excellency, will be urged by him as far as practicable.

*Thirdly.*—The tender of volunteers to the Confederate States, and providing for their entering the service of the Confederate States, under the Act of Congress referred to. Your Committee have arrived at the conclusion, that while the assent of this State should be cheerfully yielded under the provisions of the Act of the Confederate Congress, yet it is but proper that preferences should be given to the forces already in service and those now organized under the Act of the Legislature of this State at its last session.

The propriety of this course is so manifestly just to these forces, their efficiency, discipline and preparation so fully completed, and the promptness by which, with their tender and consent, they can be thrown into the field, that your Committee deem it unnecessary to discuss it at length. In case these forces do not furnish a sufficient number to answer the call of the President of the Confederate States, then it follows that volunteers from other sources can tender their services to supply the deficiency; but your Committee apprehend no such contingency, under the resolutions they submit on these subjects.

The reports of Gen. D. F. Jamison, of the War Department, and of the Hon. A. C. Garlington, of the Interior and Coast Defence, furnish valuable information as to the condition for defence the State now occupies, that your Committee recommend that five hundred copies of each be printed for the use of this Convention, and for distribution thereby.

There is one other subject that has occupied the attention of your Committee, incidentally connected with the matters referred to them, and that is the mode of payment we are to adopt by which this State is to be paid, and reimbursed for her military expenditures, &c., since our Act of Secession. Your Committee are of opinion that for such por-



tion of the amount which will be due this State by the Confederate Government, upon a settlement for our disbursements, should be received in the Bonds of the Confederate States, now about to be issued under the fifteen million loan provided for by Act of the Confederate Congress, except what will be necessary to prevent embarrassment to the finances of our Treasury, and they beg leave to recommend the adoption of a resolution herewith submitted on that subject.

Your Committee, therefore, beg leave to report the accompanying resolutions, and recommend their adoption.

All of which is respectfully submitted.

W. W. HARLLEE, *Chairman.*

RESOLUTIONS to provide for the transfer of arms, ordnance, and munitions of war, by this State to the Government of the Confederate States of America.

*Resolved*, That the Governor be, and is hereby, authorized to transfer to the authorities of the Confederate States of America all of the ordnance, arms, and munition of war, which have been purchased by the authorities of this State, and now in her possession, since the twentieth day of December last, except such as he, with the Board of Ordnance, may think it advisable to retain, upon payment to this State of the cost and expenses thereof, or securing such payment to the satisfaction of the Governor and Council. That he, also, by and with the advice and consent of the Board of Ordnance, transfer to the said Confederate Government all of the arms, ordnance, and munitions of war which have been taken in the forts and arsenals of this State, lately in possession of the Government of the United States, except such as, in their discretion, should be retained for the use and defence of the State, taking therefor such receipts and assurances as will secure to this State the value thereof, or will indemnify the State in any accounting which may hereafter be had with the United States Government.

And that the Governor and Board of Ordnance be authorized and directed to turn over all the arms, ordnance, and munitions of war to the authorities of the Confederate States, in possession of this State, upon payment therefor, or securing such payment, which, in their discretion, can be spared consistently with the safety and defence of this State.

RESOLUTION to provide for the transfer of the regular enlisted troops of this State to the Government of the Confederate States.

*Resolved*, That it is proper that the regular troops which have been enlisted in the service of the State, should be transferred, for the remainder of their term of enlistment, to the service of the Confederate States; but that in doing so, justice requires that all the officers should receive commissions of the same grade for at least the period of enlistment of the troops, and that the Governor of the State be authorized to make arrangements accordingly for such transfer with the President of the Confederate States, and to endeavor to preserve, if practicable, the rank of all the officers.

RESOLUTIONS to provide for tendering a Volunteer Force to the Confederate States.

*Resolved*, That it is the sense of this Convention that the sudden call which was gallantly answered by the First Regiment of South Carolina Volunteers, now in the service, and the valuable services which that Regiment has rendered, give it a just claim to an honorable discharge, as soon as the pressing exigency of State affairs will, in the judgment of the Governor, permit; but that, if it should be the desire of the said Regiment to prolong its service, then it shall have the privilege of being the first corps transferred to the service of the Confederate States, upon making the necessary change in their term of enrolment; and that if the whole Regiment shall not desire to extend the term, but a number of Companies and men sufficient,

with the aid of prompt recruiting, to form an efficient Regiment, shall choose to do so, they shall have the same privilege, and shall retain the regimental name and colors.

*Resolved*, That if the services of the First Regiment shall not be needed in the field for the whole of their term of six months, the Governor may, at his discretion, permit the whole or any part of the Regiment to return to their homes, subject to his call whenever it may be requisite during the said term—their pay and allowance being suspended while so at home—and that in the event of a treaty of peace being made between the Confederate States and the United States before the expiration of the said term, the Governor shall be authorized to disband the said Regiment.

*Resolved*, That whenever a Volunteer Force shall be called for by the Government of the Confederate States, the Governor be authorized to call for as many Regiments of the twelve months' volunteers already organized as may be needed; and that if the said Regiment shall consent to go into the service of the Confederate States, they shall be transferred accordingly; and if the whole of any Regiment shall not so consent, but Companies and men enough shall do so to form, by aid of recruiting, an efficient Regiment, such Regiment shall be transferred in the same manner; *provided*, that preference shall be given to the said Regiments in the order in which they now rank.

*Resolved*, That in case a sufficient number be not raised from these organizations, then any other Companies, Battalions or Regiments are hereby authorized to volunteer and tender their services till the requisite number is supplied and received.

## REPORT OF THE SECRETARY OF STATE.

STATE OF SOUTH CAROLINA.  
EXECUTIVE OFFICE, DEPARTMENT OF STATE.  
*Charleston, 24th March, 1861.*

SIR: In obedience to a resolution of the Executive Council, I beg respectfully to report to you such matters transacted in the department of the Executive Council under my charge, as may be of interest to the Convention.

The printed series of Executive Documents which accompany this report, will fully and sufficiently explain the circumstances which induced them. To these, no more particular reference is necessary, than such as it may be proper to make in explanation of the mission committed to the Hon. I. W. Hayne. The real purpose of that mission was to determine with precision the precise position occupied by the Government of the United States to the State of South Carolina. The repulse of the "Star of the West" changed, or rather defined more sharply the former relations of the State; and the communication of the commander of Fort Sumter required that the power to execute a purpose like that threatened by him, should not be within the control of any one longer than was necessary to accomplish its overthrow. To demand the surrender of the Fort therefore, became a duty; and if a duty, to transfer the demand to the Government by which only the transfer could be ordered, was manifestly proper. In the prosecution of the demand, it was regarded as fortunate that circumstances not invited by the State, but yet commanding its respectful attention, should have intervened; and that these should have led to the exposure of the pretended grounds, upon which the maintenance of Fort Sumter was rested by the Government of the United States; and, at the same time, in a just deference to the wishes of sister

States, have incidentally involved a delay of great consequence to the State in the preparation of its defences.

Among the papers of this Department which are not published, but which may be of interest, are the despatches communicated to the Commissioners of the State to the several States, then about to secede. These despatches show the interest taken in the welfare of that State supposed to be the most defenceless. The Commissioner to Florida was requested to give to that State the assurance that its cause was regarded by the other States with as much solicitude as their own; and that in anticipation of the Convention of the seceding States, a common necessity should induce a common obligation on these States to share with each other the means of defence, or the dangers of attack. The more full expression of these opinions will be found in the copies of despatches herewith enclosed.

No occasion has arisen, in which it was considered necessary, during the separate condition of the State, to require distinctly from the representative of any Foreign Power the recognition of its political independence, except in the case of the appointment of a successor to the Spanish Consul, at this port. The communication then addressed to Mr. Moncado, will show the course pursued, in regard to such officials, within the State. Upon the ascertainment of the fact, that the President of the United States had recognized a successor to Mr. Moncado, a letter was addressed to that gentleman, informing him that his successor would not be allowed to exercise his office within the limits of the State, unless he would present his credentials, and be recognized by the Governor of this State. The hope was expressed, that the Consul who was then in office should be allowed to remain at this port. The letter was communicated by the Spanish Consul to the Spanish Minister at Washington. The successor who was recognized, has not, however, appeared. At this stage of the correspondence, the papers were transferred to the Department of State, at Montgomery.

The several documents, as directed by a resolution of the



Convention, have been delivered to the representatives of Foreign Powers, at Washington. It was intended that a Special Commissioner should be sent to the principal Courts of Europe. But the meeting of the Convention of the seceding States at an early day, and other considerations, also, of a controlling character, led to the conclusion that, under the circumstances, it would be most expedient not to send any persons charged with that duty.

Respectfully, your obedient servant,

A. G. MAGRATH.

*For the Governor.*

## REPORT OF THE SECRETARY OF WAR.

EXECUTIVE OFFICE, DEPARTMENT OF WAR,  
*Charleston, S. C., March 25th, 1861.*

To his Excellency Governor PICKENS:

SIR: In compliance with a resolution of the Executive Council, requiring the several heads of Departments to make a report to your Excellency of such matters as may be necessary to give information of the present condition of the State, and of the policy and acts of each of the Executive Departments, since the adjournment of the Convention, I have the honor to lay before you a brief summary of what has been done in the Department with which I have been entrusted.

At the rising of the Convention, on the 5th of January last, the important and almost exclusive subject which engaged our attention was the occupation, by a hostile force, of an almost impregnable fortress within our harbor, and the chief difficulty with which we had to contend, arose from the extreme want of every offensive preparation for the reduction of the fort, or for preventing the entrance of reinforcements within our waters. The great want was the very insufficient supply of ammunition and implements for guns of heavy calibre. Of cannon powder, 27,000 lbs. only were in the possession of the State, and of this a considerable quantity had been sent to the batteries erected to defend the entrances to the harbors of Georgetown and Beaufort, which left less than 20,000 lbs. near this city, or not more than sufficient to have kept up a fire for three hours on the day when the "Star of the West," approached within our bar. Of shot and shell the supply was in the same meagre proportion, except of 24-pounder shot, which had been left at Fort Moultrie when that fort was evacuated

by the troops of the United States. Added to this, the guns which had been spiked, and the gun carriages burnt, at Fort Moultrie, had not been replaced; not a battery had been erected which bore on Fort Sumter, and the approaches to the harbor were only defended by the uninjured guns at Fort Moultrie and three 24-pounder guns, mounted *en barbette*, on a hastily constructed and imperfect earth-work, on Morris' island.

Since the time mentioned, the supply of cannon powder has been increased to 240,450 lbs.,\* with 40,000 lbs. of musket and 46,900 lbs. of rifle powder. Besides this, a large quantity of ordnance stores, as shells, balls, friction tubes, percussion caps, lead, cartridge paper, cartridge bags, artillery, infantry and rifle equipments, have been purchased, and they are now on hand or in the course of construction and manufacture, through the indefatigable labors of the Board of Ordnance. During the same period, three 9-inch Dahlgren guns and seven 10-inch mortars have been purchased, together with six hundred and fifty Enfield rifles and five hundred Colt's navy revolvers.

The corps of Engineers have been, likewise, unremittingly employed in the construction of works for the reduction of Fort Sumter, and the defence of the entrances to the harbor. At Fort Moultrie, on Sullivan's island, the injured guns have been replaced, and all, amounting to thirty-eight in number, of various calibres, have been protected by well constructed merlons; the magazine has been made bomb-proof, and other works have been erected for the security of the garrison. To the east of Fort Moultrie, on the same island, the entrance to Maffit's channel has been defended by a battery of one 8-inch howitzer, two 32-pounders and two 24-pounders. Between that battery and Fort Moultrie there is a mixed battery of three 10-inch mortars and two 32-pounders. West of Fort Moultrie, at about two hundred yards distance from the fort, a battery of two 10-inch mor-

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\* This does not include 25,000 lbs. of powder purchased at Richmond as cannon powder, but which is of little use except for blasting purposes.

tars has been erected; and an enfilade battery of two 32 and two 24-pounders has been erected at a point of Sullivan's island, nearest to Fort Sumter. Besides these on Sullivan's island, there are two 12-pounder guns and a full field-battery of artillery at Breach inlet, at the extreme eastern point of the island.

On Morris' island, at Cummings' Point, a battery of four mortars has been erected. Near this, a battery of three 8-inch columbiads, covered with heavy timbers and railroad iron. At the termination of the parallel, or covered way, there is a mortar battery of two mortars. These all bear on Fort Sumter. The channel is defended by a battery, designated as battery G, of two 8-inch howitzers; by battery F, of two 8-inch howitzers and two 42-pounders; by battery E, of one 8-inch columbiad; by battery D, of two 8-inch columbiads; by battery C, of two 24-pounders; by battery B, of two 24-pounders; by "Star of the West" battery, of four 24-pounders; by sunken battery of two 9-inch Dahlgren guns; by a battery at Vinegar Hill, of two 24-pounders; and by two 24-pounders and two 12-pounders at Light House inlet.

At Fort Johnson, on James' island, there are two mortar batteries, of two 10-inch mortars in each, and one gun battery of one 24-pounder.

At Fort Palmetto, on Cole's island, near the mouth of Stono river, there is a battery of two 24-pounders and two 18-pounders.

At Battery island, on Stono river, four 24-pounders have been ordered to be placed in battery.

A mortar battery of three mortars, is in the course of construction, near Mount Pleasant.

A floating battery, strongly made, and cased in front with iron plates, has been constructed to breach the facade of Fort Sumter, towards James' island. This battery has been mounted with two 42 and two 32-pounders.

Besides the above-mentioned guns in position, there are thirty-nine guns, of different kinds and calibres, at the Citadel, most of which are not mounted, and there are

four heavy 10-inch mortars just received, and one 9-inch Dahlgren gun expected, momentarily, from Richmond.

To man the different batteries and fortifications mentioned, and to prevent the landing of a hostile force on Sullivan's and Morris' island, the troops are distributed as follows: On Sullivan's island there are thirteen hundred and ninety-four men, consisting of artillery, infantry, and a detachment of dragoons, the whole under the command of Brig.-Gen. Dunovant. On Morris' island, there are thirteen hundred and fifty-six men, consisting of artillery and infantry, under the command of Col. Maxey Gregg. At Fort Johnson there are one hundred enlisted men, under Capt. James; thirty-one enlisted men, under Lieut. Blanding, at Castle Pinckney,\* and one hundred and forty-six men, composed of artillery and infantry, under Capt. Pope, at Fort Palmetto, making in all, three thousand and twenty-seven men; which force has been placed under the command of Brig.-Gen. Beauregard, an officer of the army of the Confederate States of America.

Under the resolution of the Convention, authorizing your Excellency "to receive into the service of the State, for a period not exceeding six months, such Volunteer companies as may tender their services," a Regiment, under the command of Col. Maxey Gregg, was promptly raised, which amounted at the date of the last Morning's Report, to one thousand and fifty-nine men, including officers.

Under another resolution of the Convention, authorizing your Excellency to raise a regiment of enlisted men, and an Act of the Legislature, amending the resolution of the Convention, "creating a Military Establishment for the State of South Carolina and for other purposes," which authorizes the raising of a Regiment of Infantry, a Battalion of Artillery, and a Squadron of Cavalry, nine hundred and sixty men have been enlisted, and are now on duty, under the command of Brig.-Gen. R. G. M. Dunovant.

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\* These have been removed since the last report, in order to provide a temporary station for a number of recruits just enlisted for the army of the Confederate States.



By an Act of the Confederate States of America, entitled, "An Act to raise Provisional Forces for the Confederate States of America," it is provided that the President be authorized to receive into the service of that Government, such forces, now in the service of the States, as may be tendered, or who may volunteer by consent of their State, by companies, battalions or regiments, for any time not less than one year, with power in the President of the Confederate States to appoint the officers above the rank of Colonel. As this Act of the Confederate States comes in conflict with certain laws of the State of South Carolina, and as it is probable that in any constitutional compact which this State may enter into with other States, the maintenance of troops, in time of peace, will be prohibited, I would suggest to your Excellency the propriety of recommending to the Convention such modifications of our laws on the subject, as may relieve it of its present embarrassments.

Under "An Act to provide an Armed Military Force," nine Regiments of Infantry have been received and organized into four Brigades and one Division. This formation does not include two Regiments now in the process of organization, or the troops of the City of Charleston. The country troops already organized have been very impatient under the restraints necessary to keep them in reserve for a period of greater trial to the State, if that should unhappily occur; but it has hitherto been thought advisable not to muster them into service, as no one could anticipate what line of military operations it would be expedient to adopt, or where, or in what manner, our enemies might attack us, and as the number of troops necessary for the exigencies of the service were supplied by the patriotic devotion of the militia of Charleston, with the addition of a spirited corps of artillery from Columbia; the order to call the others down to this point has been suspended from time to time, in almost daily expectation that the state of armed preparation would cease, or that a larger force would become necessary. The financial objection was also not

without weight, as the Legislature has not been profuse in its estimates for the number of men even now in the field, and the call for the volunteers for twelve months would entail a very considerable additional expense to the State, as well as occasion great sacrifices to the individual members composing the country troops.

The Departments of the Quarter-master-General and of the Commissary-General, those common sources of complaint in an army, have been satisfactorily conducted by the active and competent officers at the head of those Departments. The duties of the Quarter-master-General have been largely increased by the frequent and unusual calls upon his Department from the varied nature of the operations carried on for several months; and the expenses have been necessarily large, from the means employed for transporting troops, provisions and materials to the different posts in and near the harbor of Charleston. I am gratified to be able to state, on the authority of the Commissary-General that notwithstanding the comparative high prices of provisions, occasioned by the unusual demand, the cost of a ration has been, so far, below nineteen cents.

The arrangements of the Department of the Surgeon-General have been equally satisfactory; and it gives me much satisfaction to report that the health of the troops has been excellent.

I am unwilling to close this report without making more particular mention of the spirit and efficiency of the troops now in the service of the State. I have never seen a better class of recruits than those recently enlisted into our service; and under the training of their very competent and diligent officers, they, especially the first enlisted, have become well-drilled and steady soldiers.

It was very gratifying to witness the alacrity with which the volunteers, for six months, answered the call of the Convention for their services, and thereby fully entitled themselves to the appellation of "Minute Men," under which name they had organized themselves. Since they have been mustered into service they have shown the

utmost patience of discipline; and whether at the drill, or in the trenches, they have come fully up to every requirement of a citizen-soldier of South Carolina. These companies, drawn suddenly from the interior of the State, are composed of the best material in their respective districts; and I venture the assertion, that a more efficient or superior regiment has seldom been assembled under one standard.

Of the militia of the City of Charleston, and of the Company of Artillery from Columbia, I cannot speak too highly. It is a constant source of pride and pleasure to witness their prompt obedience to every command, their willing performance of every duty, however unsuited to their previous modes of life, and the ready sacrifice of their private interests to the higher call of duty to their State; and it would appear that there was a generous emulation amongst them who could endure such sacrifices and privations the longest without a murmur.

The same patriotic feeling of self-abnegation has been exhibited by the citizens of Charleston not on duty, many of whom, engaged in business involving large risks, have endured for months the loss of service of their employees, whose wages they have continued, but who cheerfully acquiesce in the sacrifice of their means, with the reflection that their first duty is to the country. I have had many opportunities of being assured, during my present situation, that the same feeling of disinterested patriotism is not confined to this city, but extends equally to every portion of the State.

I am, sir, with great respect,

Your obedient servant,

D. F. JAMISON.

## REPORT OF THE SECRETARY OF THE TREASURY.

EXECUTIVE OFFICE, DEPARTMENT OF THE TREASURY.

*Charleston, March 25th, 1861.*

To his Excellency F. W. PICKENS:

DEAR SIR: In compliance with your direction, that a brief summary of the transactions of this Department should be furnished for the information of the Convention, I beg leave to submit the following statement:

Immediately after the Act of Secession, the Legislature provided for the exigencies of the State by authorizing a loan of \$400,000, bearing an interest of six per cent. Of this sum, \$150,000 was appropriated to the Ordnance Bureau, and \$250,000 to the military defence of the State.

The banks of the State promptly took up this loan at par, and thus afforded an immediate supply to the Treasury. The patriotic disinterestedness which prompted the action of those institutions is greatly enhanced by the circumstances under which they took up the loan. At that time, South Carolina alone had seceded from the Government of the United States, and anxiety prevailed as to the future. Universal panic had prostrated all public and private securities throughout the United States. Proposals for a six per cent. loan by the Government of the United States were met by offers, ranging from ten to thirty-five per cent. discount, and the urgent demands of their Treasury could be supplied only by Treasury notes, at twelve per cent. interest. All stocks and public securities had reached a point of almost unsaleable depression. It was during this prevailing despondency that the banks of the State, unmindful of interest, and regardless of discouragement, made the patriotic contribution for the safety and honor of the State.



Under the Act to establish a Coast Police for South Carolina, the Legislature authorized an additional six per cent. loan for \$150,000. No part of this loan has been offered for sale.

By another Act, the Legislature directed the issue of certificates and bonds to the amount of \$675,000, at seven per cent. interest, for the "Military defence of the State." The current disbursements of this Department have been anticipated by sales on account of this loan to the amount of \$187,000, at par.

The sale of these bonds has been impeded by the low rate at which bank and railroad stocks and railroad bonds, and by the discount at which even the six per cent. stocks of the State can be purchased. That the loan is offered in the form of coupon bonds is an objectionable circumstance. But this is obviated by the confident expectation that when the temporary purpose of that form of security shall be fulfilled by the taking up of the loan, the Legislature, at its next session, will convert the bonds into stock; and with very many the loan for the "Military defence of the State" is preferred, from that consideration, to the petty advantage of interest which other investments may hold out.

The offer of the Confederate loan presents the chief impediment to the sale of the loan for the Military defence of the State. The very large interest of the Confederate loan, its ample security, and above all, that it is designed for the common defence, combine inducements of interest, with motives of patriotism for its preference. Since the Provisional Government has taken jurisdiction of all questions between the several States and the Government of the United States, and assumed the charges of the defence of the Confederate territory, and has offered to take from the State of South Carolina all the ordnance, arms and munitions of war which it may see fit to transfer to that Government, the necessity for the sale of the bonds of this State is less urgent, and they have not been pressed upon the market. Besides, the Bank of the State, with its wonted



readiness to assist the finances of the State, has given the assurance that it will, by advances, prevent any temporary embarrassment of the Treasury.

With this assurance, and the certain prospect that the Confederate loan will be taken up as soon as the books are opened for that purpose, and that, then, this State will be discharged of the expenses for its military defence, this department has been relieved from apprehension of any future financial difficulties. Soon the expenses which have been incurred for the military defence of the State, will be refunded by the Confederate Government, and the people relieved from the pressure of them. And then, when the Confederate Government shall be firmly ordered and settled, and harmony and peace prevail, instead of intestine strife and dissension, and when the people of the slaveholding States, vindicating their social and national character against the persistent and malicious libels of their former confederates, shall be restored to their own self-respect, and by the exhibition of moderation, wisdom and valor, shall command the respect of the nations of the earth, it will be a satisfaction to remember the perils and sacrifices by which their sovereignty and independence have been, a second time, asserted and maintained.

Donations have been received to the amount of \$22,275. It would be ungracious to notice these generous gifts, only as an item in our account. They are free-will offerings to liberty, from hearts that heave with patriotic emotion. No taint of vanity or selfishness infects them. The public acknowledgment which was made of the first donations, caused future donations to be made with the injunction that the names of the donors should not be published. Though it may not be in accordance with the generous impulse which prompted the first donation of ten thousand dollars, by Mr. Benjamin Mordecai, of this city, it is proper, for the moral influence of the example, that an act of so great munificence should, on every fit occasion, receive its meed of public gratitude and honor.

The contributions of labor by the planters and their personal superintendence of their slaves, are also the subject of

grateful acknowledgment, and should not be omitted in this statement of the resources of the State for its defence. The most liberal offers were received, and a number of laborers, greatly exceeding the want for them, was always made at the call of the State. As many as could be advantageously employed were constantly in the service of the State, in the construction of the defences of the harbor, until the recent advance of the spring has suspended the call.

## SUMMARY OF RECEIPTS AND DISBURSEMENTS.

<i>Received</i> from the first loan.....	\$250,000 00
“ “ the loan for the “Military defence of the State”.....	187,000 00
<i>Received</i> from donations .....	22,275 00
	<hr/>
	\$459,275 00
<i>Expended</i> —Miscellaneous charges, including pay of the troops, &c., &c....	\$101,606 00
Quarter-master's department....	201,472 00
Commissary's Department.....	76,520 00
Contingent expenses and unclassified charges.....	6,431 00
For Coast Police and Naval Service .....	44,853 00
Recruiting Service .....	13,935 00—\$444,817 00

By a communication from the Board of Ordnance to His Excellency the Governor, it appears that that Board has expended \$195,500 in the purchase of ordnance, arms, equipments and munitions of war. This exceeds the sum of \$150,000, which was appropriated by the legislature to the Ordnance Bureau; but the expenditures being necessary for the “Military defence of the State,” will constitute a charge on the appropriation for that purpose, which this department must defray.

I am with great respect,

Your obedient servant,

EDWARD FROST,

*Secretary of the Treasury.*

## REPORT OF THE SECRETARY OF THE INTERIOR.

STATE OF SOUTH CAROLINA,  
EXECUTIVE DEPARTMENT, OFFICE OF THE INTERIOR,  
*Charleston, March 26th, 1861.*

To his Excellency Governor PICKENS :

SIR:—In obedience to a resolution of the Council, I submit the following Report from the Department, which was assigned to me in the distribution of the Executive labors.

As to matters falling within the Department of the Interior proper, it is hardly necessary for me to say anything, nothing having occurred in relation thereto which deserves special notice.

The most important matters connected with this Department, and to which its chief attention has been directed, have been the Sea Coast Police, and the Sea Coast Defences of the State. At an early day after your Excellency assumed the duties of the Executive, Col. Gwynn was ordered by your Excellency to make a reconnoissance of the sea coast of South Carolina, and select such points as, in his judgment, should be fortified for the purpose of defending our territory against marauding parties, who might come into our waters in small craft, to commit depredations upon the property of our citizens. The defence of our long line of sea coast against an enemy *en force* was not contemplated. To render such defences effectual, would require means beyond the resources of the State. The general character of our sea coast is such, that it presents few obstacles to the landing of troops, at almost any point, in small boats. Its whole line is intersected by numerous inlets and creeks, of easy access to small craft. Besides, there are many deep and bold rivers into which

vessels of large draft may safely enter. While, therefore, our sea coast would be much exposed to the ravages of an enemy, the difficulty of guarding effectually its whole line with fortifications is insurmountable. The object had in view was to erect works, principally of earth, to guard those entrances which were most accessible, and which could be most easily defended, not against an enemy *en force*, but against marauding parties, who it was supposed might, in the event of hostilities between the two sections, descend upon our coast in vessels of light draft to commit acts of depredation and violence.

A reconnoissance of the coast, from the mouth of Little river, near the North Carolina, to Callibogue Sound, near the mouth of the Savannah river, has been made by the engineers in charge; and at many of the points indicated, redoubts and other works have been erected. Many of these works have been completed, and others were in progress, when the Government at Montgomery assumed the charge of our military operations and defences. With the exception of the fortifications commanding the entrance into Winyaw Bay, none of them have been garrisoned. These works were the first that were completed, and, under the energetic supervision of Col. Alston, were provided at an early day with ordnance and ordnance stores, and also garrisoned by a sufficient number of troops to man the guns. Since the action of the Congress at Montgomery, which put our operations under the charge of the Provisional Government, little has been done towards the completion of the works, which were at that time unfinished. These defences of the coast have been erected at comparatively little cost to the State. The planters in their vicinity have, with commendable liberality, in the majority of cases, gratuitously furnished the labor required to erect them.

For a more particular description of these various works, I refer to the reports of the Engineers in charge, and especially to the reports of Col. Charles Alston, Jr., and Col. Elliot, who had the general direction of them, under orders



from your Excellency. At the request of your Excellency, and in company with Capt. Hartstene, who was ordered to make a report on this subject, I made, in the month of February last, an inspection of these works, from Georgetown to the mouth of the Savannah river. I refer to his report as containing a more particular statement of the progress which had been made towards their completion, and also of what was further required to render them as efficient as the circumstances would admit of.

At the time when I assumed the duties of this Department, your Excellency had already established a Police for Charleston Harbor—first, to prevent a change in the *status* of the forts: and, secondly, to prevent reinforcements being introduced into Fort Sumter. After the occupation of Fort Sumter by Major Anderson, and before the erection of batteries on Morris' island, this Police was chiefly relied on to prevent that fortress being reinforced. It was, therefore, thoroughly organized, and rendered as efficient as possible with the means at our command. Small boats were stationed by day near the Bar, for the purpose of keeping watch upon vessels approaching our harbor, and if at all suspicious, to examine them, and by means of signals arranged for the purpose, to notify the different posts in the harbor of their real character.

A night Police was also established, consisting of the most suitable vessels that could be procured, having on board detachments of armed men, with orders to cruise during the night time near the Bar, and keep a vigilant look out for the enemy, and repel any attempt to reinforce Fort Sumter with all the means in their power. To their vigilance may be justly accorded a share of the honor of the successful repulsion from our waters of the "Star of the West" by the battery on Morris' island. Her approach was observed and signalled to that post.

This Police was committed principally to the charge of the officers of the United States Navy, who had resigned and tendered their services to the State. And it is due to these gallant officers that I should say, that in this capacity,



humble, though it be, compared with the stations which they had before filled in their country's service, they have, in every instance, entered upon the discharge of their duties with alacrity and spirit, and rendered most important service to the State.

It is also proper that I should make favorable mention of the services which have been rendered in this Department by the young men who abandoned the Naval School of the United States, and tendered themselves to the State. They were assigned to this Police, and have been constantly employed in its service. During the greater part of the time, James H. North, late Lieutenant in the United States Navy, has had the command of this force. Immediately on his arrival here, he was appointed to this service with the rank of Captain in the South Carolina Navy, and has performed his duty with promptness and ability.

The Legislature, at its last session, passed "An Act for the establishment of a Coast Police for the State of South Carolina," which enacted that the Governor should purchase or procure three vessels of light draught, to be propelled by steam and canvas, and to be armed with one or more guns, and otherwise equipped, so as to be made an efficient police for the coast and inlets of the State. To carry out the provisions of this Act, the sum of \$150,000 was appropriated. In order to remove the embarrassments which it was supposed might arise in restricting the Governor to the purchase of vessels of a particular description, a resolution was also passed by the Legislature, authorizing him, in effect, to procure such vessels as he might deem fit for the service proposed, provided no larger sum than the \$150,000, appropriated by the Act referred to, should be used for the purpose.

In order to carry out the object of this Act and Resolution, I appointed a commission, composed of scientific and practical men in the City of Charleston, to examine all the vessels in Charleston harbor, and also to make inquiry elsewhere, and report whether any could be procured which were adapted to the service intended. Their report satis-

fied me that there were no vessels in our waters which were suitable in every respect, and which could be bought on reasonable terms. It was believed that they might be purchased at the North, but, after diligent inquiry, only one could be found that it was thought expedient to purchase: the "James Gray," an iron propeller, built for the navigation of James river. Lieut. Dozier was despatched to Richmond, and negotiated the purchase of this steamer at the price of \$30,000, to be delivered at Charleston. She has since been fitted out under the name of the "Lady Davis," and carries two twenty-four pounder howitzers on her decks. Under the Act referred to, enlistments of seamen were begun, and had reached the number of thirty, when it was thought best to suspend any further effort to complete this organization, on account of the action of the Provisional Congress looking to the establishment of a Navy for the common Government. These enlisted seamen have served to relieve the detachments of volunteers which have been detailed for duty as a night guard in the harbor, and are now employed in that service. For a statement, in detail, of the vessels employed in the Coast Police, the officers and crews of each, and of the officers of the United States Navy who have resigned and entered the service of the State, and also their rank, I refer to the report of Captain James H. North, dated the 4th March, and on file in the Executive office. It is believed that two additional steamers of lighter draught than the "Lady Davis," and having proper *armaments*, would be sufficient for the Coast Police of this State—that is, to cruise along our coast and into our inlets, with the view to intercept lawless incursions into our territory. Without such vessels, some of the entrances along our coast will be entirely unguarded. This is especially true of Port Royal entrance and St. Helena Sound. These cannot be defended by means of batteries on land; and unless armed vessels are provided for these waters the adjacent country will be left entirely exposed. This matter, it is understood, has already been considered by the Secretary of Navy at Montgomery,

and suitable vessels, it is believed, will soon be procured for the service indicated. In conclusion, I have the pleasure to state that, in my judgment, with the small means at their disposal, and under the pressing necessity of concentrating the resources of the State for the defence of Charleston harbor, which thus far has been the theatre of our larger military preparations, everything has been done which was practicable, by the State authorities, for the defence of the sea-coast of the State.

Respectfully submitted.

A. C. GARLINGTON,

*Secretary of the Interior, including Sea-coast Defences.*

## REPORT OF THE POST-OFFICE DEPARTMENT.

STATE OF SOUTH CAROLINA.  
POST-OFFICE AND CUSTOMS BUREAU.

*Charleston, March 26th, 1861.*

SIR: I beg leave to say, that in the department to which I was assigned by your Excellency, as one of the Executive Council, I have very little to communicate that will be necessary for you to communicate to the Convention of the people of this State.

The Postal arrangements have been continued as they existed at the time of the secession of the State from the late Union.

After the Ordinance of the Convention continuing the officers of the Post-office department as before, upon the application of several Post-masters for instructions, I issued a circular instructing them to make their returns and accounts to the Department at Washington as previously, so long as the mails were transported under their contracts and authority. This course has been pursued so far as I know, and as yet I have been aware of no interruption of mail facilities in the State.

In relation to the delivery and receipt of the mails to and from Fort Sumter, under your direction, I proposed to Major Anderson to have them delivered to, and by his boats, at Fort Johnson, to which he assented; the necessary orders were issued for this purpose, and in this way mail communication has been kept up, without complaint, so far as I am aware, with that post.

The papers and correspondence on this subject will be found embraced in the correspondence between Hon. A. G. Magrath, of the State Department, and Hon. J. Holt, Post-master-General at Washington, and have already been

made public. That portion of Customs with which my department was connected, was in reference to Light Houses and Buoys in the harbor and coast, and with the Vessels connected with that service.

Under your direction, soon after the evacuation of Fort Moultrie by the garrison of the United States and their possession of Fort Sumter, I directed the lights in the harbors of Charleston, Beaufort and Georgetown to be extinguished, and the buoys in these harbors respectively to be removed, in order to prevent by these means, as far as practicable, the supplies of provisions, men, &c., to Fort Sumter, as well as to prevent hostile ships from coming into our waters. This course is still pursued, as I learn from those now in authority. Upon the organization of the Provisional Government of the Confederate States, and the Treasury and Post-office departments thereof, I felt that my duties in the department to which I had been assigned by your Excellency had determined, and I consequently requested the officers both of the Customs and Post-office, with whom I had been connected, to report and advise with the respective heads of departments of the Confederate States, which has been done.

It gives me great pleasure, in closing this report, to bear my cheerful testimony to the efficiency, discretion and promptness of the gentlemen at the head of the Post-office and Customs, respectively, in the City of Charleston, and thus publicly tender them my thanks (which I have done privately) for the cheerful assistance and suggestions which I have at all times received from them, in the discharge of the duties of the position assigned me.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. W. HARLLEE.

To his Excellency F. W. PICKENS.



## REPORT OF ENGROSSING COMMITTEE, AS TO PUBLICATION OF SECRET JOURNAL.

The Committee on Engrossed Ordinances, to whom it was referred :

*First*, To inquire and report "what resolutions and orders of the Convention, passed in secret session, and how much and what portion of the secret journal may now be made public without impropriety;" and

*Secondly*, To consider and report upon the following resolution, to wit: "*Resolved*, That the injunction of secrecy be removed from the proceedings and debates of this Convention on the Constitution of the Confederate States of America; and that the journals of this Convention and of its proceedings thereon, shall be published under the supervision of the President of this Convention, so soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of the Congress assembled at Montgomery, which formed said Constitution," having considered these matters, beg leave to

### REPORT:

That they were attended by the Clerk of the Convention, and with him carefully and minutely perused the journals of the secret sessions of this body, from the 22d day of December, A. D. 1860, when the Convention first sat with closed doors, until the present time. They find that the injunction of secrecy has already been removed from the Ordinances and the more important Resolutions which have been adopted. Your Committee cannot say that the removal of the injunction of secrecy from the remainder of the transactions of the Convention, and their consequent

publication is either improper or incompatible with the public interests.

There are a class of resolutions, the publication of which, it was objected in the Committee, might give rise to a misconception of the real views, and a misconstruction of the true action of this body. To these the attention of the Convention is invited.

On the 27th day of December of the last year, the morning after Major Anderson had, under cover of the night, dismantled and abandoned Fort Moultrie, and taken military and hostile occupation of Fort Sumter, a Delegate offered the following resolution:

“*Resolved*, That it is the sense of this Convention, that the occupation of Fort Sumter ought at once to be regarded as an authorized occupation, and vigorous military defences provided immediately;” which was ordered to lie on the table. Many other resolutions to the same effect were, from time to time, presented, and were also either ordered to lie on the table or rejected. To remove the injunction of secrecy, and publish to the world these and kindred resolutions, it was suggested might lead to the idea that the Convention had, by their action on them, declined to entertain, or assert, and perhaps had denied, the principles therein declared, and had thus placed themselves somewhat in opposition to the views expressed in their behalf by our Commissioners to the Government at Washington.

In this view your Committee do not concur. It is well known to the members of this body, that in truth and in fact, the Convention intended thereby to express no opinion as to the authority and character of Major Anderson's occupation, the same not having been then, as yet, affirmed, denied or adopted by the then Administration, and our Commissioners having, at that time, this, with other complicated and delicate questions, for explanation and, if possible, for adjustment. The reasons thus indicated, which induced the action of the Convention, do not, it is true, appear on the face of the journal or accompany the record; but this may be said of the proceedings in all legislative

bodies, and which, therefore, at last, must, in a great measure, depend upon contemporaneous history for their explanation and vindication.

In reference to the publication of the debates on the subject of the adoption of the Constitution of the Confederate States of America, your Committee do not perceive how the same could be done under the authority of this body, as no official record of them was kept under its directions. They would, therefore, recommend the adoption of the following resolutions:

1. *Resolved*, That the injunction of secrecy be removed from all the transactions of this Convention in secret session, except in relation to the debates on the Constitution of the Confederate States of America, and the matter this day directed by the Convention to be kept secret.

2. *Resolved*, That as soon as the injunction of secrecy shall be removed from the proceedings and debates of the Convention of Delegates, lately assembled at Montgomery, the injunction of secrecy shall likewise be removed from the debates of this Convention on the Constitution submitted for the Confederate States of America.

3. *Resolved*, That five hundred copies of the journal, public and secret, and of the reports, resolutions and transactions of this Convention be printed, and separately five hundred copies in the following order: of

1. All the Ordinances passed by the Convention, in the order of time, (except the Ordinances of Ratification;) together with

2. The Bills to amend the Constitution of this State, ratified during the late session of the General Assembly.

3. The Resolutions for engrossing the Constitution.

4. The Constitution of the State as engrossed.

5. The Constitution of the Provisional Government of the Confederate States of America.

6. The Constitution of the Confederate States of America.

7. The Ordinance of Ratification.

8. The Resolutions suggesting amendments.

And that the same be distributed as follows:

For the Executive, 10 copies; for the Legislative Library of the Congress at Montgomery, 5 copies; for the Legislative Library at Columbia, 5 copies; for the Libraries of the Court of Appeals at Columbia and Charleston, each 5 copies; for the Members of the Convention, and Members of the General Assembly of the State, each 1 copy; for the Governors of the several Confederate States, each 1 copy; for the Chief Justice and Associate Justices of the Court of Appeals, and for the Chancellors and Judges of the State, each 1 copy; for the College and various public Libraries in the State, each 1 copy; for the Attorney-General, Solicitors, Secretary of State, Surveyor-General and Treasurers of the Upper and Lower Division, each 1 copy for the use of their respective offices; and that the residue be distributed under the direction of the President of this Convention.

All of which is respectfully submitted.

THOMAS Y. SIMONS, *Chairman.*

## REPORT OF THE COMMITTEE ON PRINTING, AS TO LITHOGRAPHING ORDINANCE OF SECESSION.

The Committee on Printing beg leave to

### REPORT :

That, at the recent session of the Convention, having had referred to them a resolution contemplating the lithographing of the Ordinance of Secession, they made a report indicating the terms upon which the work could be done, but which report was not reached in the order of business before the adjournment of the Convention. Since then, Messrs. Evans & Cogswell, Printers to the Convention, acting upon the indications, as manifested by the report, to have the Ordinance lithographed, have had the work done in a style creditable to the art; and by a careful comparison with the original, the Committee find it to bear a very notable similarity to it.

These gentlemen having had the work done in such a faithful and creditable manner, and as they supposed in accordance with the wish of Delegates composing the Convention, the Committee deem it due to them to recommend the adoption of the following resolution :

*Resolved*, That two hundred lithographic copies of the Ordinance of Secession be furnished by Messrs. Evans & Cogswell, for the use of the Convention, to be disposed of under the direction of its President; and that two hundred dollars be allowed and paid them, by the Treasurer of the Lower Division, as compensation therefor.

All of which is respectfully submitted by the Committee.

PAUL QUATTLEBAUM, *Chairman*.



## REPORTS OF COMMITTEE AS TO DOCUMENTS DIRECTED TO BE ENGROSSED.

The Committee on Engrossed Ordinances respectfully report, that the following Ordinances have been engrossed and enrolled, to wit:

1. An Ordinance to alter the Constitution of the State of South Carolina in respect to the oath of office.
2. An Ordinance to make provisional postal arrangements in South Carolina.
3. An Ordinance to make provisional arrangements for the continuance of commercial facilities in South Carolina.
4. An Ordinance to amend the Constitution of the State of South Carolina in respect to the Executive Department.
5. An Ordinance to alter the Constitution of the State of South Carolina by striking out certain words in sundry places.

Your Committee would further report that these Ordinances, having been duly signed by the President and attested by the Clerk of the Convention, and the seal of the State attached thereto, have been deposited in the Secretary of State's office.

THOMAS Y. SIMONS, *Chairman.*

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The Committee on Engrossed Ordinances respectfully report, that they have duly engrossed and enrolled:

“The Report of the Committee on Relations with the Slaveholding States of North America, with the Resolutions thereto appended.”

Also, the following Ordinances, to wit :

“An Ordinance concerning Judicial Powers.”

“An Ordinance to define and punish Treason.”

“An Ordinance concerning powers lately vested in the Congress of the United States.”

“An Ordinance concerning Citizenship.”

That these having been duly signed by the President, and attested by the Clerk of the Convention, and the seal of the State attached thereto, have been deposited in the office of the Secretary of State for safe-keeping.

THOMAS Y. SIMONS, *Chairman*.

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The Committee on Engrossed Ordinances beg leave to report:

That the Ordinance adopted by this body on the day of the adjournment of its first session, entitled, “An Ordinance to vest in the General Assembly the power to establish Postal Arrangements,” has been duly engrossed under the supervision of the Committee, and deposited in the office of the Secretary of State for safe-keeping.

Respectfully submitted.

THOMAS Y. SIMONS, *Chairman*.

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The Committee on Engrossed Ordinances report :

That the Ordinances and Resolutions referred to them have been duly engrossed and ratified by the signature of the President and the attestation of the Clerk, to wit :

1. An Ordinance ratifying the Constitution of the Confederate States of America.

2. A Resolution suggesting amendments thereto.

3. An Ordinance to amend an Ordinance concerning citizenship.

4. An Ordinance to amend and to repeal sundry Ordinances and to alter the fourth article and sundry sections of the Constitution.

5. An Ordinance to alter the tenth section of the first article of the Constitution of the State of South Carolina, and the amendment thereof ratified the twenty-eighth day of January, A. D. 1861; also, to alter the tenth section of the amendment ratified on the seventeenth day of December, 1808, and likewise the second clause of the eleventh article of the Constitution aforesaid.

6. An Ordinance to ratify the Provisional Constitution and Government of the Confederate States of America.

7. An Ordinance to repeal in part and to alter in part an Ordinance to amend the Constitution of the State in respect to the Executive Department.

8. An Ordinance to transfer to the Government of the Confederate States of America the use and occupancy of the forts, arsenals, navy yards, custom houses, and other public sites within the limits of this State.

9. A Resolution to provide for the transfer of arms, ordnance, and munitions of war, by this State to the Government of the Confederate States of America.

10. A Resolution to transfer the regular enlisted troops of this State to the Government of the Confederate States.

11. A Resolution to provide for tendering volunteer forces to the Confederate States.

12. A Resolution authorizing the Governor to commission the officers of the volunteer companies in certain cases.

Respectfully submitted.

THOMAS Y. SIMONS, *Chairman.*

COMMUNICATION FROM HIS EXCELLENCY THE  
GOVERNOR.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT,  
CHARLESTON, March 28, 1861.

*To the President and Members of the Convention:*

GENTLEMEN: On the 12th day of February last, the Confederate Government adopted the following resolution:

“*Resolved*, That this Government takes under its charge the questions and difficulties now existing between several States of this Confederacy and the Government of the United States, relating to the occupation of Forts, Arsenals, Navy Yards, and other public establishments; and that the President of the Congress be directed to communicate this resolution to the Governors of the States.”

And on the 1st day of March, the Secretary of War wrote me in the following language:

“Under this Act the President directs me to inform you that he assumes control of all the military operations of your State, having reference to, or connected with, questions between your State and powers foreign to it.

“He also directs me to request you to communicate to the Department without delay, the quantity and character of arms and munitions of war which have been acquired from the United States, and which are now in the Forts, Arsenals and Navy Yards of your State, and all other arms and munitions which your State may desire to turn over and make chargeable to this Government.”

The Provisional Government for the Confederate States was created by your authority, through delegates appointed to meet other delegates from all the seceding States, and, therefore, I consider the acts of the Provisional Government as binding upon South Carolina. By virtue of this

authority, the President of the Confederate Government, on the third of this month, placed General Beanregard in full command of all forces in actual service, in and around Charleston. He is a scientific and thorough-bred officer, and no appointment could have been more acceptable.

I did not think I was fully authorized to transfer the enlisted forces of South Carolina over to the Confederate Government, because their enlistment was in the nature of a contract with the State, the conditions of which could not be varied, except by the authority of the Convention.

I have transmitted to the Secretary of War of the Confederate States a full and accurate list of the officers that have been appointed in the regular enlisted service of this State, and took occasion to say that I would refer the matter to the Convention to determine and fix the conditions upon which this force should be transferred over to the Confederate Government. It was a force raised under peculiar circumstances of great excitement and peril, and the officers have been selected with strict regard, in most instances, to military services heretofore rendered in the late Mexican war, or in reference to their rank and position in the late United States Army.

I respectfully urge, therefore, that the Convention may preserve their rank and commissions, as far as possible, in any arrangement or transfer they may make of them to the Confederate Government. This force was enlisted for one year, and in any events that may arise, it will require at least six hundred men to garrison the forts in Charleston harbor, and it will also require a company permanently stationed at the mouth of Stono, and one near Georgetown, at least one, if not more, at and near Beaufort; in all eight hundred men. If there should be any continued agitation or apprehension of protracted war, then, of course, it would require many more. If the Confederate Government would receive this enlisted force with their officers, then they might constitute, for their term of service, the permanent garrison force on the sea-coast of South Carolina. We happened to be the pioneer State in the great movements



that have taken place in the last three months, and this force was suddenly raised under circumstances requiring the sternest character. They have served faithfully; and their General has been a brave and meritorious officer in the Palmetto Regiment through the Mexican war, and of great experience as Adjutant and Inspector-General, appointed by the Legislature for many years. The other field officers and captains, with but a single exception, have also either served through the same war, or been graduates of West Point, and officers in the United States Army. It may then be said, as far as officers are concerned, to be as efficient a force for the number as can be obtained.

I, therefore, most respectfully urge that the Convention will effectually guard and preserve their rights in any arrangement or disposition they may adopt in reference to their transfer to the Confederate Government. The high-toned and noble regiment, commanded by Col. Gregg, was organized under resolutions adopted by your body. They were called forth at a time when we expected an immediate conflict of arms, and under the powers granted me by the Convention, I entrusted, to a great extent, their formation to their patriotic and gifted commander. The term of service for which they volunteered was only six months, and I believe they do not propose a longer term now, unless there should be some prospect of a more general state of hostilities. But I communicate with this a report from the Secretary of War, and refer to the details there presented for a more full account of the forces that have been employed. I most cordially adopt that report, and recommend its clear and truthful representations to the earnest attention of the Convention.

I send on, also, with this, copies of all letters that have passed, in relation to the military forces of this State, from myself to the President of the Confederate States, and the Secretaries of War and Navy, together with their replies. I make this communication in order that the Convention may fully understand all that has been done, and the particular interests involved. I doubt the right to make the

transfer of these forces and fix the conditions that may be necessary, except through the Convention.

I also communicate with this reports from the different heads of Bureaus or Departments, and refer, with great satisfaction, to them as not only showing the ability and faithfulness with which each one of them has administered the affairs under his particular charge, but also to show, that if the Executive has been at all successful in administering the duties of office, it was principally owing to the very able Council with which he was surrounded. It was by a resolution of the Convention that this Council was appointed. One of its most useful and patriotic members has been transferred to the Administration of the Confederate Government; and I have appointed the Hon. Edward Frost a member of the Council in his place. It was required by the resolution appointing this Council, that I should refer any nomination to your body for confirmation. I, therefore, now respectfully refer to you this nomination for your confirmation.

It will be seen by the report from the Treasury Department, that our expenditures have been \$640,317 (six hundred and forty thousand three hundred and seventeen dollars); of this amount, \$195,500 was expended by the Ordnance Board. This includes what has been expended for ordnance and munitions of all kinds. As to all expenses incurred since the 20th of December last, the day on which South Carolina seceded from the old Confederacy, I take it for granted the Government of the Confederate States will become responsible to us for the amount, as it was incurred in defence of a common cause, and particularly as the Confederate Government expressly assumed jurisdiction of all questions between us and any other governments relating to defences and military operations.

It will be perceived that, through a communication from the Secretary of War at Montgomery, I was particularly requested to turn over all arms and munitions received from the Arsenal of the United States in this city, and also all other arms I might think proper. I suppose the

ordnance and arms the State owned itself, which were purchased in 1850 and 1851, might with great propriety be retained by the State now, as also some small arms in the late United States Arsenal, essential to arm our volunteer force if called into service, ought to be retained; but all ordnance and munitions of war procured and purchased recently, might be very appropriately turned over to the Confederate Government; and I most respectfully call the attention of the Convention to this subject, as connected with any arrangement they might make in reference to the transfer of our regular forces to the Confederate States.

I herewith transmit the Ordinances and Resolutions of the different States that have seceded, and would call attention to the obvious propriety of providing for them, together with our own Ordinance on the same subject, some suitable place of safe deposit. They are the simple, but authentic records of events well calculated to produce a profound impression upon the future destiny of our country.

Heretofore in the history of the world, the great struggle has been to secure the personal rights of individuals. In former times, the power of government absorbed all individual or personal rights of citizens. But our English ancestors, by their sturdy virtues, engrafted, at different periods, such grants and restrictions upon the British Constitution, as effectually secured personal rights, and as far as that branch of liberty is involved, they made it as perfect as in any other country.

To secure the political rights of separate and independent communities, required a higher and broader range of political experience. The guarantees for personal rights in England was a great advance over the old feudal system of Europe; and it was then left to the separate States of America to develop a higher experience over a larger extent of territory, in those guarantees necessary to secure the local rights of separate and independent communities, united under one common government.

The old Constitution was intended to effect this advance

in the science of government, and if it had been properly administered, would have continued to develop the mighty resources and power of a wonderful people. But, under the combination of ambition with fanaticism, they attempted to organize the great masses of the people, so as to act together in a consolidated majority, and administer the common government without regard to the sacred guarantees by which the local rights and interests of separate communities should be preserved under the absolute control of their separate governments. This, of course, reversed the whole philosophy of our peculiar system, and if permitted to become successful, would have given us no advance over the European system of government. In fact, it would have placed us behind them in progress, for many of their most enlightened and powerful governments asserted the doctrine and acted upon it, that governments and dynasties can be changed by popular sovereignty, expressed through universal suffrage, in independent communities; and they avow this as a substitute for the old theory of divine and hereditary right.

Under our old articles of confederation the government had failed, and the Constitution of the United States grew out of the force of circumstances, and was adopted in order to secure, at that period, a more perfect union to enable us to resist foreign aggression. We have outgrown that state of things, and the danger lately was not from foreign aggression, but from internal corruption, and from an assumption in parts and majorities, of absolute government over other parts, without reference to the limitations and reservations of the compact. Thus, that Constitution ran its career and fulfilled its destiny, under the perverted and vitiated idea that we were a consolidated people. Under prejudices fostered by designing men, and under the worst passions inflamed by bad men, an absolute majority was created, who assumed that their will must necessarily be the government, instead of the fixed principles of the Constitution, which were intended to guard the local rights and interests of the separate and inde-



pendent communities which composed the Confederacy of States.

Our State, true to the great principles upon which the Confederacy was formed, and true to those great and progressive ideas which were so identified with American Independence, was forced to resume her original powers of government; and if she succeeds in engrafting the fundamental right of a separate and independent State to withdraw from any Confederacy that may be formed, whenever her people, in sovereign convention assembled, shall so decide, then she will have made another advance in the science of government, and added another guarantee to the great principle of civil liberty. And if this principle could be secured without an appeal to arms and blood, it would show that the country has progressed in civilization and intelligence, so far as to be able to settle all controversies and issues involving political rights by an appeal to reason, to interest, to free discussion, to conventions, to treaties and covenants, rather than by an appeal to brutal force.

True, we have encountered misrepresentation and abuse, and for a people so small in numbers as we are, to make such an issue as we did, was full of danger and difficulty.

But no people are fit to be free unless they are able to treat denunciation with indifference and to meet danger with fortitude.

From peculiar circumstances, South Carolina was called on to take the first step in this march to independence. She had to encounter the first shock in the bitterness and fierce passions of our opponents. Those who had mastered the power of the Government, and were fondly gazing on the rich and ripe fruit supposed to be just within their grasp, naturally exasperated in disappointment, caused by this State interposing to arrest them in their lawless career of mad ambition and wild fanaticism. For a period we were surrounded with great difficulties, and threatened with danger that appeared imminent.

As far as the Executive is concerned, I always considered



that the peculiar mission of this State was, by a firm and temperate course, to lay the foundation of a new Confederacy of States, homogeneous in feeling and interest, with such institutions and domestic civilization as would unite them in one common destiny, with a government devoted to their peace and safety, and with no interest to produce the slightest aggression upon other people; but deeply interested to develop those productions that are so largely demanded in the peaceful pursuits of mankind, and entering so largely into the comforts and progressive civilization of the world.

When this State first withdrew from the Federal Union, I felt that we bore, on one side, critical relations to the Confederacy we had left, and also very delicate and peculiar relations to those slave States who constituted the border of the Southern States, and we had still higher and more sacred duties and relations toward our sister States of the South, who were expected nobly to come to our side in the formation of a new Confederacy.

All these relations made our course quite complicated, and full of deep obligations. In administering the duties of the Executive office, I can truly say that I never, for one moment, lost sight of the relations our State bore to all, and it has ever been my endeavor, while sustaining her separate rights and independence, never to do anything that might show indifference to any of the great complicated interests and relations with which she was surrounded.

When your illustrious body adjourned, you saw the State standing alone, surrounded with peril, and clouds resting upon the future. Under the kind dispensations of a superintending Providence, I am now able to present her to you under a brighter day, surrounded by sister States rich in their resources, with their brave and patriotic sons standing as a guard in the portals of a new temple, reared by our common councils, and dedicated to the *separate sovereignty of free and independent States*.

F. W. PICKENS.

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